e Saturday Evening Post · September 10, 1966 · 35c

POST

TAXES
$200 million scandal in California

CANCER
Should the incurable be kept alive?

DIVORCE
New way to find help

THE ASSASSIN
beginning
the deadly manhunt
to trap
a Soviet agent

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Living room floor: Kentile's new Moda Moresca Solid Vinyl. Individual 12" x 12" tiles. Note use on walls. Comes in five classic tile colors to enhance any room. Easy to clean. Greaseproof, too. Interior by Marvin K. Culbreth, A.I.D. Your Kentile® Dealer? See the Yellow Pages under "Floors."

The elegance of Old Spain—now in solid vinyl floor tile.

KENTILE VINYL FLOORS

Rich, yet tasteful! This is Kentile's new Moda Moresca with the ageless beauty of a hand-crafted Spanish tile floor—at far less cost! More comfortable and quiet underfoot, too.

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They said it couldn't be done. It couldn't.

We tried. Lord knows we tried. But no amount of pivoting or faking could squeeze the Philadelphia 76ers' Wilt Chamberlain into the front seat of a Volkswagen.

So if you're 7'1" tall like Wilt, our car is not for you.

But maybe you're a mere 6'7".

In that case, you'd be small enough to appreciate what a big thing we've made of the Volkswagen.

There's more headroom than you'd expect. (Over 37½" from seat to roof.)

And there's more legroom in front than you'd get in a limousine.

Because the engine's tucked over the rear wheels where it's out of the way (and where it can give the most traction).

You can put 2 medium-sized suitcases up front (where the engine isn't), and 3 fair-sized kids in the back seat. And you can sleep an enormous infant in back of the back seat.

Actually, there's only one part of a VW that you can't put much into:

The gas tank.

But you can get about 29 miles per gallon out of it.

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If you think all tires are round you've got another tire coming...

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Tests prove you can expect at least 3,000 more miles from the Atlas **PLYCRON** tire. These tests were conducted on sets of four tires from various manufacturers' production for 1966 model cars and were promptly run under identical conditions by an independent test fleet.

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The Saturday Evening
POST

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Ben Franklin

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About this issue

Derek Marlowe

DEREK MARLOWE, the 28-year-old Londoner whose spy thriller begins in this issue, has had a rather unorthodox career. After being expelled from college, he became an actor ("another way of saying I became a bum"), cleaned apartments and did "bits of writing." He was in Berlin when he read John Le Carré's popular novel, *The Spy Who Came in From the Cold*. Marlowe had just finished a play which was getting nowhere, and Le Carré's success gave him the idea of turning his play into a novel. A best seller in England, it is being made into a film for Columbia.... In the months that JAMES PHELAN worked on his tax-scandal story he attended two trials, read 3,500 pages of grand-jury testimony, and pored over so many laws, statutes and regulations that he is thinking of hanging up his shingle as a tax assessor if he ever tires of writing.... A modern-language teacher at a high school in Aberdeen, S. Dak., HARRY JONES writes about sculptor Korczak Ziolkowski. "I admire him greatly as an artist and as a person," Jones says, "and I wouldn't live next door to him for any price." / Cover by MITCHELL HOOKS.

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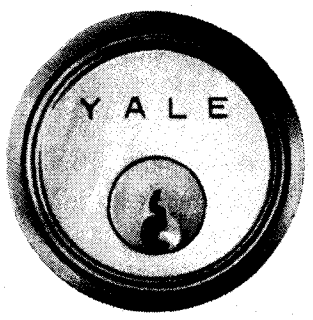

Stop
sign

Don't ask for trouble. Ask for Yale.

Letters

Dylan on the cover

To whom it may concern,
and it should:

I'm returning the cover of your July 30 *Post*. Your refugee from a barbershop and from good taste is to me a picture of the decadence in our society and in our music.

MARTIN PASMAN
Kalamazoo, Mich.

Dear Sir:

Your cover page has put the parents of teen-agers back 10 to 15 years!

DAVID M. SEE
Lafayette Hill, Pa.

Dear Editors:

Thank you very much for your cover picture of this Dylan fellow. Now my children will believe: "There really is a struwwelpeter!"

WILLIAM G. NAEF
San Francisco, Calif.

Dylan and Sloppy Peter, the "hero" of an educational German children's verse.

Love him, love him not

Gentlemen:

Your article on Bob Dylan caught the essence of his significance for the younger generation [WELL, WHAT HAVE WE HERE? by Jules Siegel, July 30]: He is admired as a symbol of personal honesty and maturity in an age that, however dynamic and complex, is often childish and cowardly. Like oracles of every age, he is obscure, but in a time of few prophets he sings with assurance.

LOWELL PONTE
President, The Bob Dylan Fan Club
University of Southern California
Redlands, Calif.

Gentlemen:

Why dignify this expendable little misfit with repeated literary rehashes of a story that was pretty stringy meat to begin with?

L. ALBERT FISHER
Wantagh, N.Y.

Dear Sirs:

What music did he really give us? What poetry did he give us? What solutions did he give us—yelping, rioting and banging away on his guitar, trying to tell us what any half-wit already knows, that no system is perfect? Tell him to go get a haircut.

ROBERT H. BISCHEL
Bloomer, Wis.

Sir:

Thank you for your outstanding article on the king. Listen to him and enjoy his humor (*Memphis Blues Again*, etc.), for he is writing a new chapter into the history of American literary arts.

DAVID M. DRUCKER
Newport News, Va.

Flaming cuspidors!

Gentlemen:

What a mouth-watering piece on James Beard ['IF I HAD TO PRACTICE CANNIBALISM . . .' by John Skow, July 30]. As publishers of *Menus for Entertaining* and hosts for the wine-tasting party, we enjoyed the account even more than the actual evening. Why? At the time we were exceedingly busy guarding against *flambé*'d gaboons [wine-taster's cuspidors]. Those barrels, "filled with clean white curls of shaved wood" proved irresistibly tempting as ashtrays!

JEANNE ALEXANDER,
Publicity Director, Delacorte Press
New York, N.Y.

Give addicts drugs

Dear Sir:

We should listen to the blunt clarity of our wise old men. I like what Judge Jonah J. Goldstein says, and I like the way he says it [GIVE DRUGS TO ADDICTS SO WE CAN BE SAFE, July 30].

JOHN F. MATTHEWS
Louisburg, N.C.

Dear Sir:

This is a liberal, humane and sensible viewpoint which should be complimented.

DR. ALVIN R. YAPALATER
Narcotics Addiction Committee
Westchester County Medical Society
White Plains, N.Y.

Sirs:

In addition to providing free narcotics to addicts, Jonah Goldstein would undoubtedly recommend giving money to thieves and unwarranted concessions to minority groups, "so we can be safe."

JOHN J. GIBA
Rosemont, Pa.

Dear Sir:

As a former wife of an addict, the suggestions in the article were my own thoughts years ago. One of the factors resulting in the breakup of my marriage was the total nonacceptance and hostility that faces the addict and his family.

C.C.
Chicago, Ill.

Dear Editor:

If the doctors or anyone gave free narcotics to addicts, it would be just like giving a child candy and letting him gorge. It is not the answer. The young kids are the ones to try to help.

EX-ADDICT
Tacoma, Wash.

$1,000 baseball

Editor:

John Gregory Dunne's article on Willie Mays [IT'S A LONG WAY TO 714, July 30] was also a splendid look at the sports-reporting media, loaded with apes who take the nonsense so seriously that, as Jerry Izenberg of the Newark *Star Ledger* put it, "They wind up equating Mickey Mantle's batting slump with the annual Indian famine."

Mays emerged as the only sane individual in the article, still able to laugh off absurd questions and smile about $1,000 price tags on balls he's bruised for homers.

JIM O'BRIEN
Publisher, Pittsburgh Weekly Sports
Pittsburgh, Pa.

Continued on page 6

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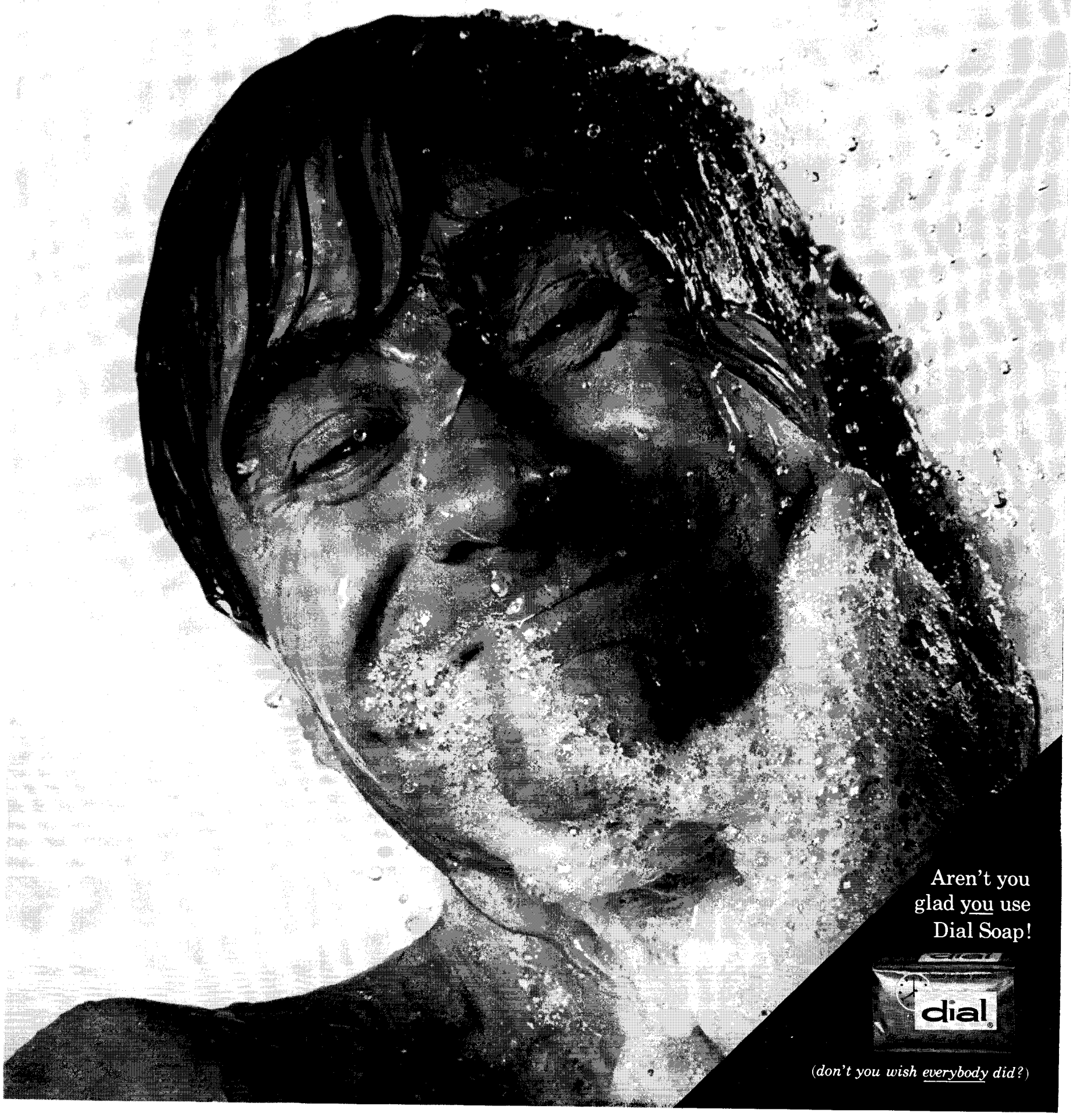

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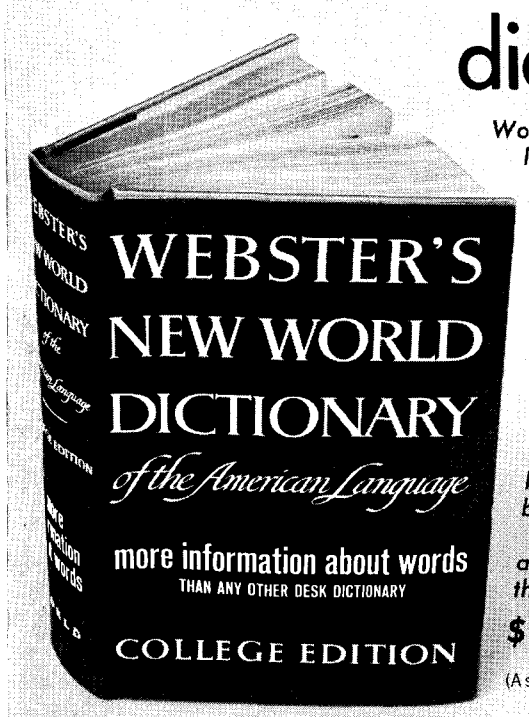

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add Casite

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Write subscribers' names and addresses on plain paper and mail with your own name, address and full remittance. As soon as your order has been processed, we will send you the bowling ball. Be sure to specify weight desired.

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Letters

Friendly Rhodesia?

Dear Sir:

Rhodesia is doing all it can to bring its people into the modern world.

One cannot help but wonder what prods a small group of people to campaign so vigorously against the friendly pro-Western government [RHODESIA'S ENDURING REBELLION by James Morris, July 30].

J. ROBERT JOHNSON
Morristown, N.J.

Dear Sirs:

The tragedy about the Rhodesian situation goes far beyond the struggle to maintain something which is an anachronism in the 20th century. A legal system was so set up in the free world that a government could stifle criticism, political opposition and free expression of opinion, and this state of affairs received the approval-by-silence of the rest of the free-world countries.

If the United States is actually dedicated to fighting for human rights, as opposed to merely fighting against Communism, the tolerance of such governments constitutes flagrant hypocrisy.

MICHAEL BOWEN
Kansas City, Mo.

The "new nuns"

Dear Sirs:

Congratulations on the marvelous job Michael Novak did on THE NEW NUNS [July 30], bringing to the task warmth, insight and straightforward honesty. His is the most perceptive and comprehensible article I have read on the subject.

FR. JOHN MAXWELL, S.D.B.
Richmond, Calif.

Dear Sirs:

The report was excellent for its historically factual, balanced, positive style. We commend both the author and your magazine for giving yet another impetus to the Church in renewal.

SISTER MARY TIMOTHY MCQUAIDE
SISTER JOHN MARIE DALY
SISTER MARY JANET RICHARDSON
Georgetown University
Washington, D.C.

Dear Sir:

A nun is one bound to God by the vows, freely taken, of poverty, chastity and obedience. Nowhere in Mr. Novak's article is there anything to indicate that the "New Nuns'" vows shape their thoughts or their living. At best he makes them out as Christian humanists, or better, "non-nuns." But this is *not* what the Sisters of whom he wrote are.

SISTER CATHERINE SULLIVAN
St. Louis, Mo.

Dear Sir:

As a member of a "large religious community," I have never felt imprisoned by rules but have considered them as means to an end—greater freedom. The length of our skirts doesn't have to change for us to reach out to the poor. This has always been our apostolate and is so now.

SISTER MARY LINUS
San Rafael, Calif.

Dear Sir:

It's good to know there are nuns in the world who speak and look and sing the joy of a life dedicated to helping others. I hope that your article tells the baggy-skirted, wimple-straight, black-bedecked nuns how nuns—given the go-ahead—can appear (not just be) delightfully human.

BROTHER JOHN TROJANSKI, S.M.
Dayton, Ohio

Dear Sir:

I'm a non-Catholic and Mr. Novak's article is a revelation. I'm all for the "good girls of the parish" and their works of mercy. If this is what it means to be a Catholic in 1966, I'm interested.

GEORGE HEIM
Milwaukee, Wis.

Hornblower up in the air

Dear Sirs:

How dast you leave Horatio Hornblower up in the air like that? [HORNBLOWER DURING THE CRISIS by C. S. Forester, July 16 and July 30.]

KATIE FERRIS
Williamsport, Pa.

Gentlemen:

I am a longtime fan of C. S. Forester, especially of his Hornblower series. Is this unfinished book being completed by another author?

JAMES LERNER
Chevy Chase, Md.

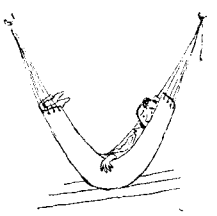
Only Mr. Forester, who died in April of this year, knew how the story would end. We warned our readers about the abrupt conclusion, and suggest they complete the adventure in their own imaginations—Ed.

Dear Sirs:

You now have on your hands one of the many frustrated C. S. Forester fans who will forever ponder the fate of Hornblower, masterspy.

JACQUELINE J. LEFAIVRE
Orlando, Fla.

Dear Friends:



When I started my seafaring career early in the century, I slept for two years in a hammock. The hooks on which we slung our hammocks in the tween decks were at least 14 feet apart. If poor old Captain Hornblower had to sling his hammock in a room only six by six, he would have to double up like a jackknife. No wonder he had a sore back the next day.

And when I am told later in the story that no fewer than eight men slung their hammocks in this room, I blow my hatch covers. This is just hair-raising nonsense.

CHARLES ROSNER
Bellport, N.Y.

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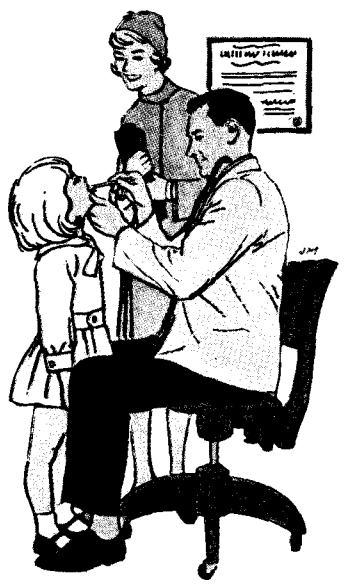

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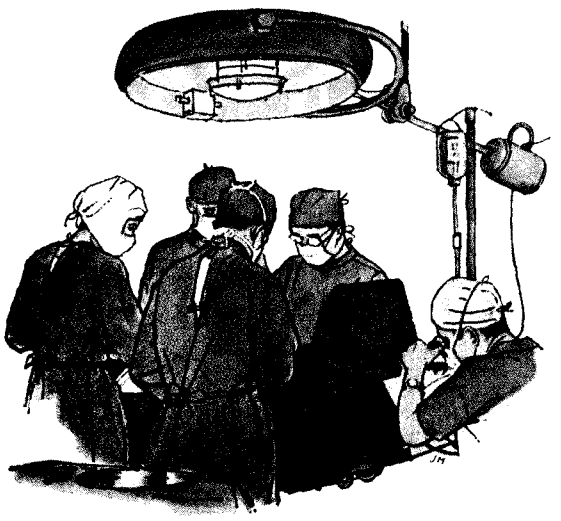

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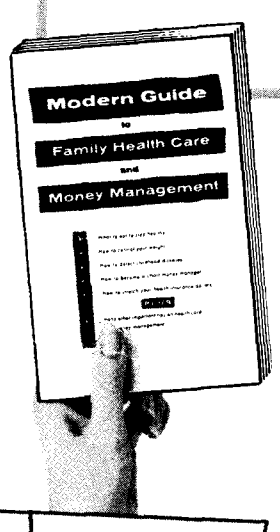

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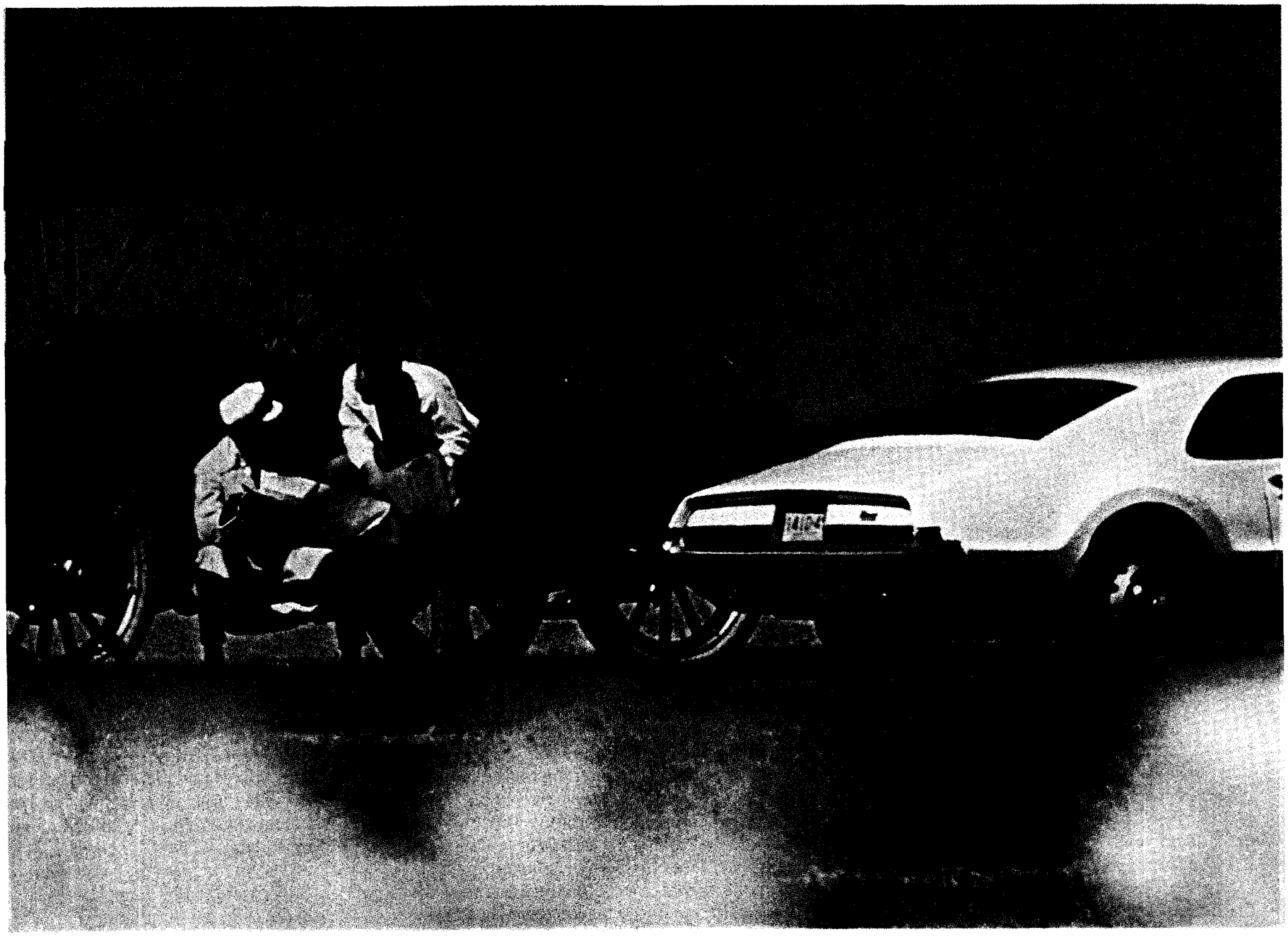

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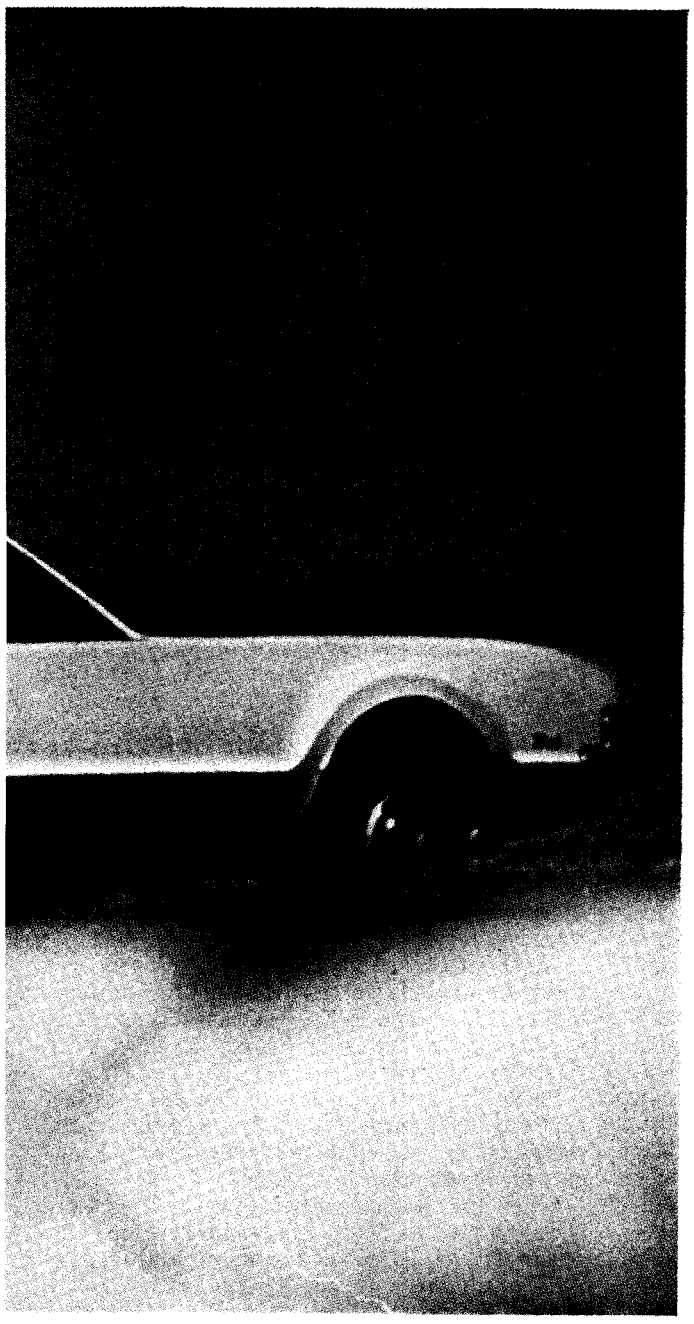

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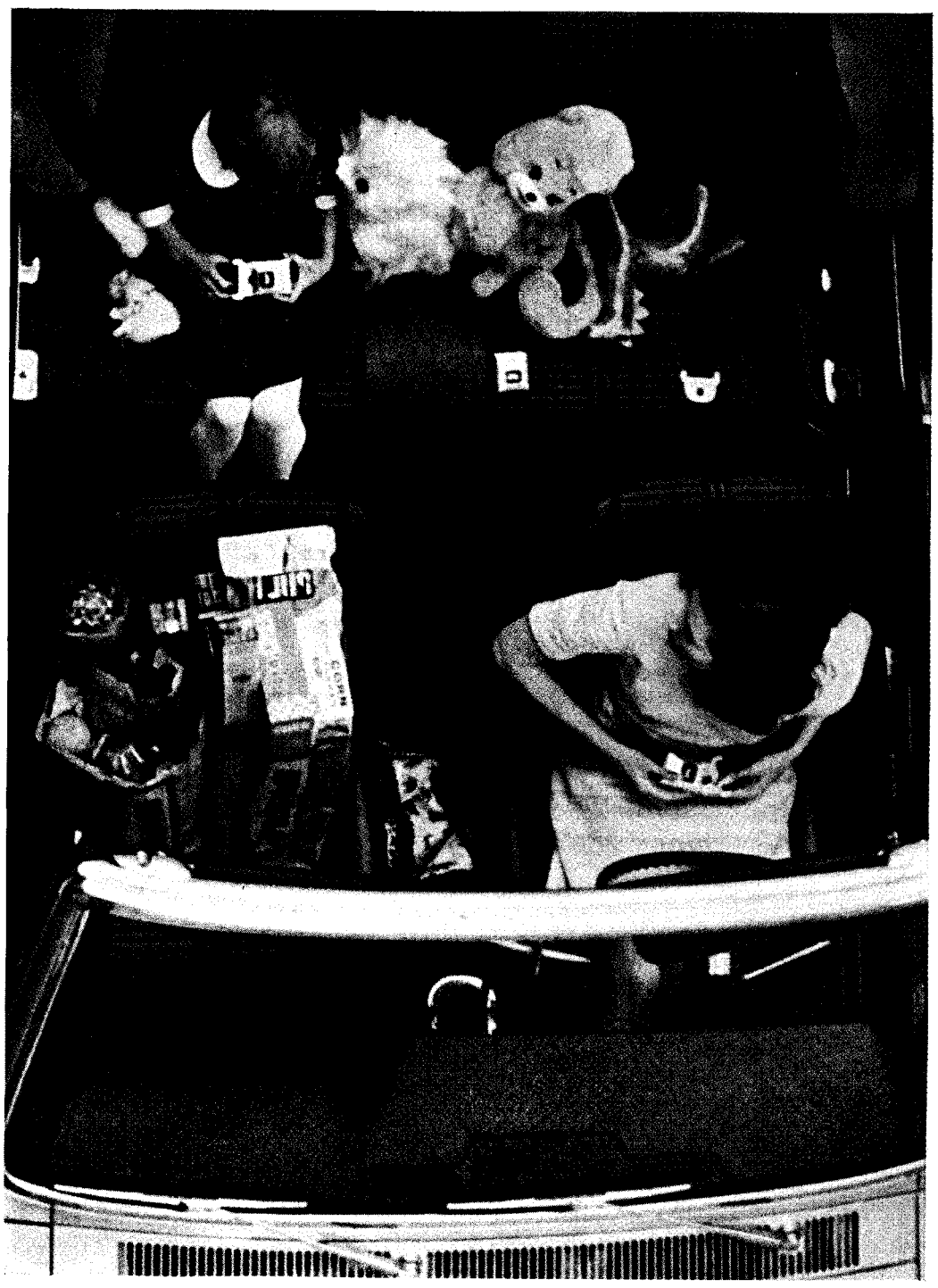

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Speaking Out

One measure of a democracy's strength is the freedom of its citizens to speak out—to dissent from the popular view. Although the editors often disagree with the opinions expressed in Speaking Out, they dedicate the series to that freedom.

Let the dying die

By Paul Moor

As my sister lay dying, an intestinal cancer crowding the life out of her, confiscating her body cell by cell, I knew that the time approached when she might raise the question of ending her torture and letting her get on with the lonely and desolate business of dying. By the time the question did come, it had long since occurred to me that if my sister had committed murder, society would not have hesitated to terminate her life. My sister, though, had more in common with saints than with criminals, so society gainsaid her wish for a speedy and dignified death.

Had those around her—her family and friends, her skilled, solicitous surgeon, the unusually kind and attentive hospital staff—allowed a dog to suffer so, irate animal lovers surely would have had us arrested. But outmoded legislation by benighted human-lovers governed my sister's situation, and so condemned her to a death I would not wish upon even the lowest creature.

During the next-to-last period, while she could still think clearly, she indirectly asked at least three times for release. If she had directed an unequivocal request toward me, I cannot even now say with certainty what I should have done, but I incline to believe I should have tried to fulfill it. My love for her would have left me no alternative, since no one else would help her.

Modern medicine keeps prolonging our life expectancy, and this sounds like progress. But medical men, in their ardor to keep weary lungs breathing and exhausted hearts beating, have devoted relatively little attention to the elemental and inevitable phenomenon of dying. Dominant present-day medical attitudes, pushed to their logical extreme, will do away with natural death entirely. In this respect, life seems today to have become a matter of quantity, not quality. Much of what I say here will strike many as blasphemous, arrogant, heartless, anarchistic and pathological. I can only reply that spending up to 22 hours a day, for almost two months, in the hospital room of someone you love, witnessing not the prolongation of life but the long-drawing-out of dying, leaves you looking at such things quite differently from the way you ever had before.

When my parents in Texas telephoned me and I flew there from Berlin, my sister Mary Lou had just undergone—both unwittingly and unwillingly, I learned subsequently—a colostomy. The growth of the cancer, first discovered 21 months before but already metastasized and therefore incurable even then, had totally blocked her elimination, and so her doctor, to prevent the accumulating poisons from killing her horribly and quickly, had installed an artificial outlet from the bowel through the lower left abdomen; now the cancer could kill her horribly and slowly.

After the initial operation, she had had about a year before the cancer's growth again became noticeable. After that, chemotherapy—many six-day series of daily injections of 5FU, a medication that checks certain cancer cells but often also attacks healthy tissue so violently that it causes dreadful side effects—kept her on her feet for almost a year, until the blockage forced her to return to the hospital.

She got all her affairs in order, and faced death almost with equanimity. She had had 22 years of one of the happiest of marriages, flawed solely by the absence of children, and although she assuredly did not want to leave her husband Pete and the rest of us, her unquestioning, actively practiced Christianity lent to her tiny person a steely strength one would not have expected. Pete held onto his reason by continuing to go to his office every day, but he came to the hospital in the morning, at noon and in the evening, and only at those times did I leave her room. Our parents, approaching 80 and resisting acceptance of the inevitable until it actually occurred, came in the afternoon, but I stayed on hand to fend against any long pauses, which made my sister nervous. In the mornings Mary Lou and I did the crossword puzzle, using the newspaper to shield her eyes from the cavernous, infected wound which every day had to be dressed by two nurses, one to force it closed and the other to crisscross it with tape. During those weeks, Mary Lou had me write down long, detailed instructions about various aspects of the life she was preparing to depart, disposing of personal belongings among her friends, going into detail as to her funeral—no soft organ music, hymns only of praise and thanksgiving.

I read to her, book after book, although as irresistible drowsiness overtook her, she could no longer concentrate on listening and combated her somnolence by playing cards or crocheting until finally she slept. We played endless gin rummy—or, with her nurse, a game called Crazy Eights. We played Scrabble as long as she could, then dominoes. The deathwatch lasted long enough for us to observe her 55th birthday and, four weeks later, my 42nd.

Pain, of course, never abandoned her. The doctor, as her need grew, put her on stronger and stronger medication, but she had to have injections more and more frequently. For about six weeks, a sound between a grunt and a groan accompanied every single waking breath she took.

She knew that Pete, a sweet-natured solid rock of a man, melted at the sight of her tears, so she chose me to tell, for instance, which clothes she wished to wear in burial. And she had me obtain the forms for her to sign so that immediately following her death the doctors could remove her corneas to transplant them into someone's blind eyes. A day or so later, I reminded her she had not yet signed the forms. She asked: "Do I have to do it right now?" Is today the last I shall be able to write my name?

At about that point she asked, "Why do you think some people feel it's wrong to bring on death in a case like mine?" The question did not catch me unprepared. "I don't know," I said. "I certainly can't agree with such people."

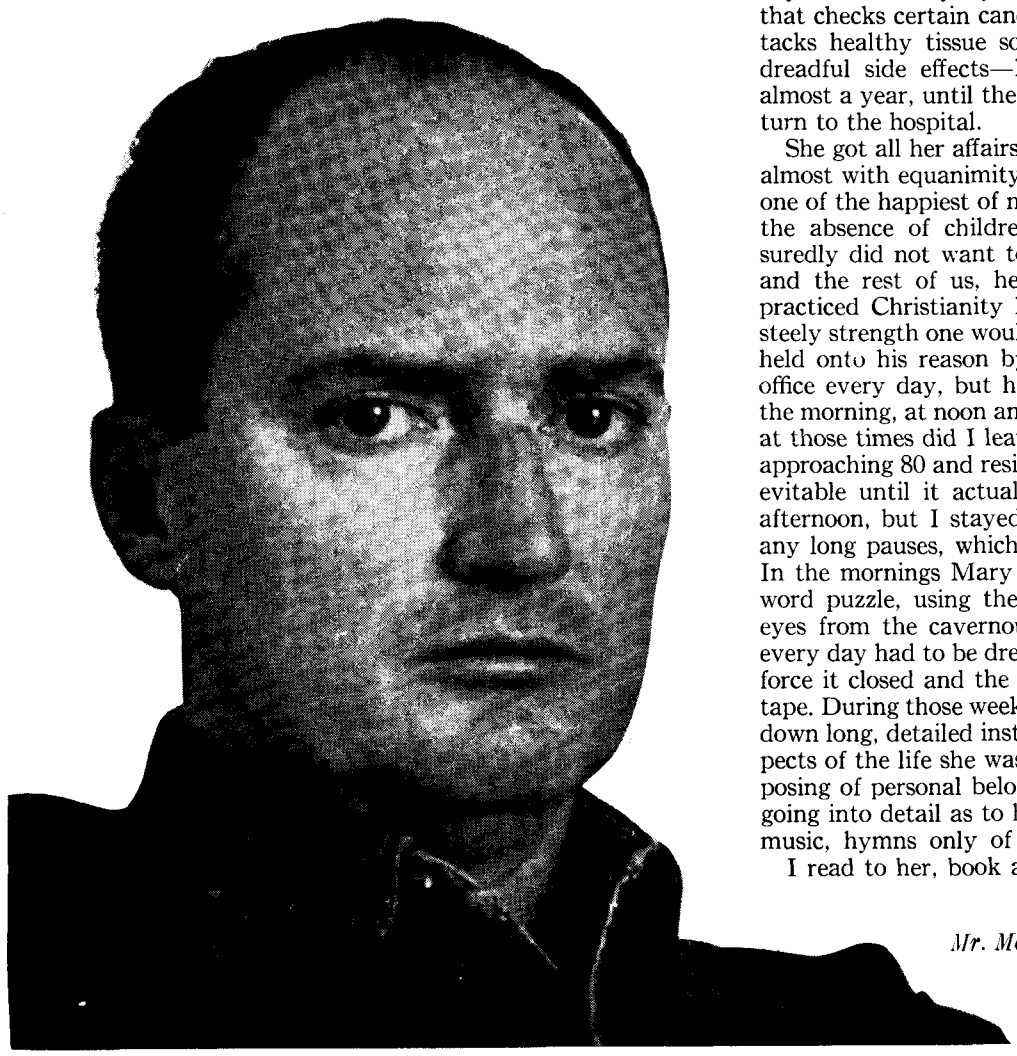
Silence; stalemate; neither of us would make the next step. She knew I would have helped her if she asked, but she could not bring herself to obligate me to such dreadful conflict.

When a nurse came with an injection she identified as vitamins, Mary Lou smiled ruefully and asked, "If you go on keeping me so healthy, how will I ever manage to die?"

Later she said, "When I went into the operating room last time, I wanted to ask the doctor not to let me wake up, but I couldn't bring myself to do it." Opiates had thickened her tongue. "After all, how can I ask my brother"—my breath stopped—"to take the life of his brother man?" She referred to the doctor and the operation he had performed, but her unconscious selection of words involuntarily revealed so much more.

Again, in the presence of Pete and me and one of her closest friends, Dorothy, a trained nurse, Mary Lou announced to the room at large, "After all, all Dorothy would have to do would be to inject just a little bit of fluid into my vein." Pete, a Catholic by birth, somehow turned what she had said into a feeble joke.

When the time came that the cancer, as hard as concrete and now huge enough to stretch the skin on her pregnant-looking abdomen to the point of shininess, had crowded my sister's stomach virtually out of existence, she adamantly refused intravenous nourishment, even though she grasped the doctor's gentle explanation that although the tubes would not prolong her life, they would prevent her dying of thirst or starvation. We all lived in a crescendo of dread that her mounting



Mr. Moor, who has written for many magazines, was born in El Paso and since 1949 has lived abroad—in Paris, Munich, Moscow and, for a decade, in Berlin.

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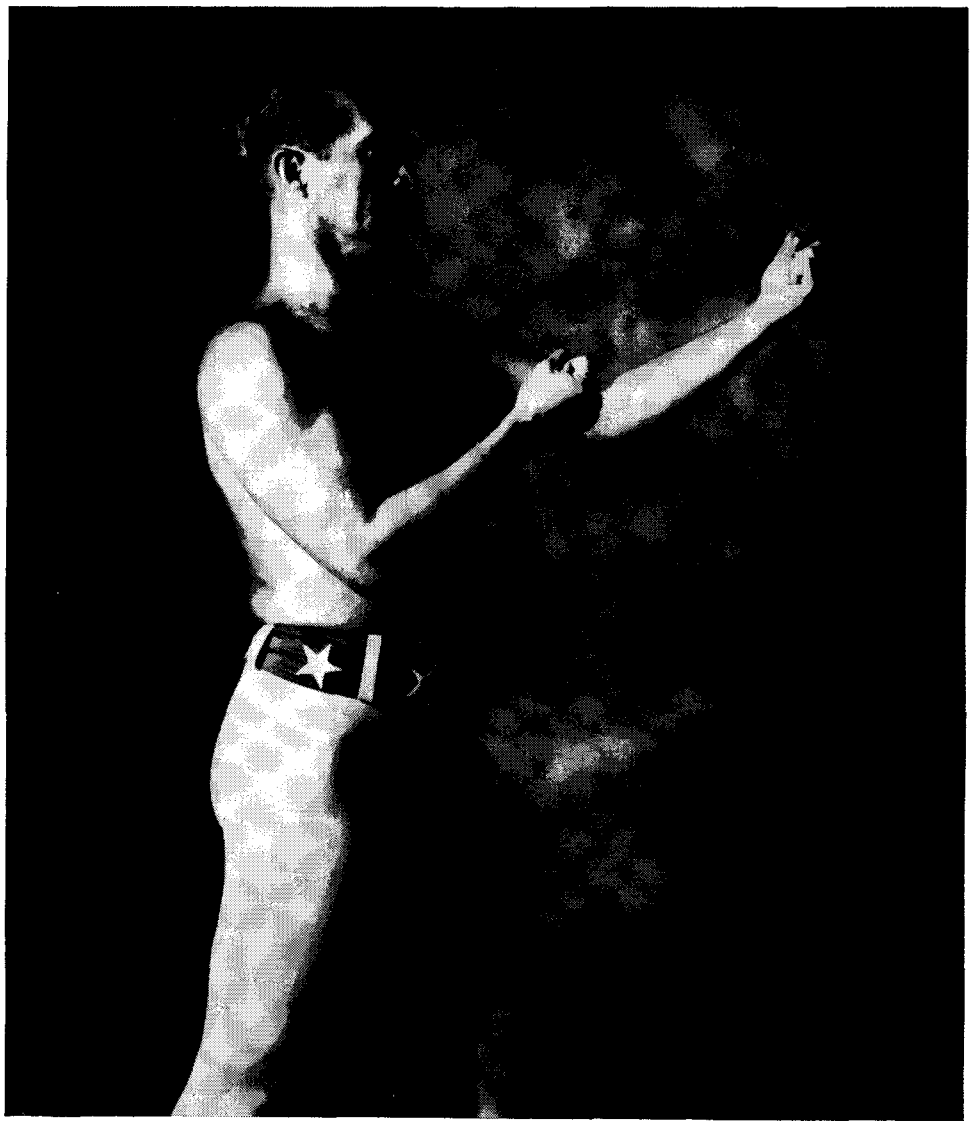

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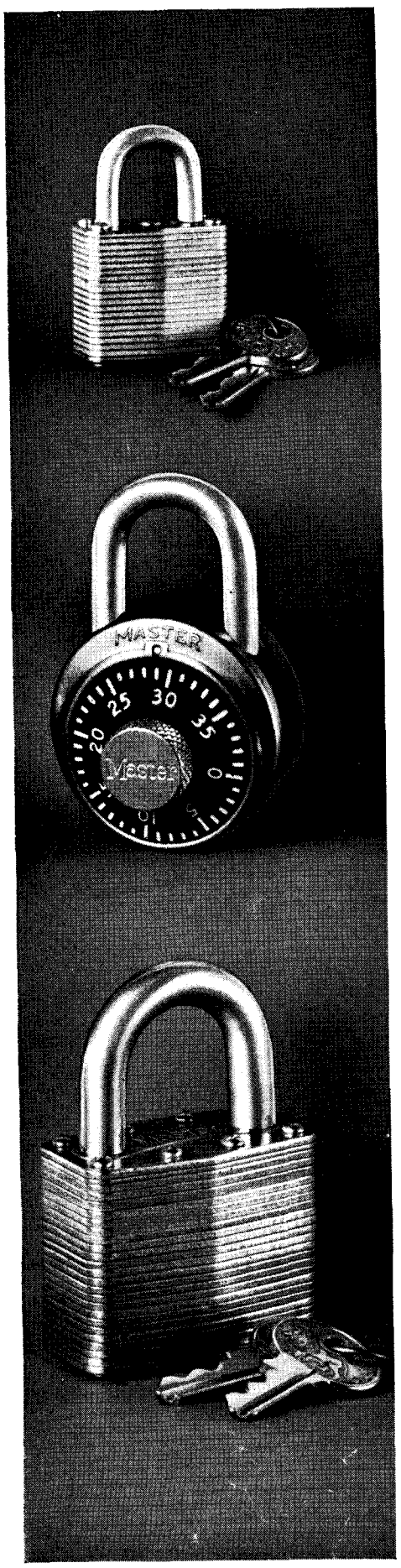

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immunity to narcotics would turn her into what one nurse described as "a screaming maniac" from pain.

The next several days' revelation of the human organism's toughness dumbfounded me. For days she had had no solid food, but now for three days, delirious most of the time, she vomited, a tiny bit, about every 60 seconds. Still she could not manage to die. "She might go on like this for weeks," her nurse said. She drank sips of milk, then she could take only bits of cracked ice, and finally her only moisture derived from the glycerin-and-lemon-juice swabs we applied at intervals to her papery lips. Once, when I had to go out, I kissed her forehead and her hollow cheeks (for the last time?) and told her I loved her, and she murmured, with effort, the last words I heard her say: "I love you, too." The next day she remained beyond the reach of all of us, except for one instant when she seemingly recognized Pete and silently enfolded him in her arms. Starvation and desiccation had so emaciated her fingers that she had had to have adhesive tape wrapped round her wedding ring to keep it on. The next afternoon, as she lay apparently asleep, some yearning moved her to take the ring off and pop it into her mouth; only the swift reaction of her nurse prevented her swallowing it.

The day after that, half an hour past midnight, our darling stirred for the first time in many hours, opened her eyes wide, extended her arms upward, sighed wearily, and finally, mercifully, eight weeks and a day after the operation she had not wanted, she died.

According to the statistics, 819 other Americans died of cancer, to name only one torturing disease, that same day.

The weeks of the deathwatch over my sister impelled me repeatedly to try to sort out my thoughts about euthanasia—*voluntary* euthanasia, by which I mean the abetment of a rational but incurably ill individual who chooses to die in dignity and peace rather than in torture. I have only the most loathing condemnation for the "euthanasia" practiced in Nazi Germany; and the question of dealing with newly born monstrosities presents problems too hideously intricate even to touch upon here. But voluntary euthanasia falls into a totally different category. One of the leading doctors in my hometown, shortly before I left Texas, afforded the first surprise: A religious man, he said he "did not think" his beliefs would have inhibited his granting my sister's wish if the law had not classified the act as manslaughter.

Yet the law says thou shalt not kill: The meaning seems obvious but it is not. *The Book of Common Prayer* translates this commandment more accurately as "Thou shalt do no murder," and Prof. Joseph Fletcher of Episcopal Theological School points out that in the original Hebrew, the commandment (both in Exodus and Deuteronomy) employs the verb *ratsach*—treacherous, unlawful killing and the New Testament references (Matthew, Luke, Romans) use the verb *phoneuo*, also involving unlawfulness. Even Catholic sources yield surprises. In February, 1957, Pope Pius XII himself defended physicians' administration of pain-killing drugs which might concomitantly end the patient's life, and eight months later he stated that no obligation exists to perform all the medical wonders available today just in order to keep a patient breathing.

But then there is the objection to suicide, and every American state makes this a crime. Again there is a traditional and scriptural background, centered around St. Augustine. He said that the Scriptures did not authorize suicide, and St. Thomas Aquinas went further to call it "the most fatal of sins, because it cannot be repented of." But these were interpretations. If one is to resort to religion, as Prof. Fletcher points out in his book *Morals and Medicine*, the Bible presents a variety of suicides but no definite proscription. Uncondemned Biblical suicides include Ahithophel (hanging), Zimri (fire), Saul (sword) and, of course, Samson. The 18th century's St. Alphonsus Liguori found justifiable the action of a man who leaps to his death from a burning building to escape a more gruesome death. Can one imagine a clearer parallel to voluntary euthanasia?

But, some may argue, is not taking a life, one's own or another's, under any circumstances, equivalent to playing God? And I must argue back that all medicine constitutes an interference with nature. Doctors cannot shun this dilemma, for how can a doctor in this day and age rationally resolve his conflicting obligations to prolong life but also alleviate pain? Has the time not come to reconsider an oath formulated by a man named Hippocrates, born 2,426 years ago, an oath in which modern doctors still swear not by God Almighty but begin, "I swear by Apollo the physician, by Aesculapius, Hygeia, and Panacea, and I take to witness all gods, all the goddesses"?

And do even doctors interpret the oath as rigidly, when confronted by a case like my sister's, as we think they do? The Euthanasia Society of America, a serious group of clergymen, doctors, lawyers and intellectuals, claims that the majority of New York State doctors interviewed admit having administered euthanasia. When a patient's life extends beyond the pain-killing effectiveness of morphine, the administration of enough incremental narcotic inevitably results in fatal toxicity. This happens more frequently than most people realize. For its part, the society has reached a viewpoint very close to the one espoused by similar groups in England and Japan, and independently arrived at by myself, at my sister's bedside: If, at a patient's request, a commission of medical experts investigates and agrees on the hopelessness of an agonizing illness, and if the patient still wishes it, he or she has the right to receive the benison of a peaceful and dignified death.

As Prof. Fletcher says, "It is the living that fear death, not the dying." And I have come to agree with Nietzsche—"In certain cases it is indecent to go on living." But most of all, as I look back on my beloved sister's purposeless agony, I hear her fervent, unuttered request mingled with an echo of the Fifth Beatitude: *Blessed are the merciful, for they shall obtain mercy.*

Dan Moon

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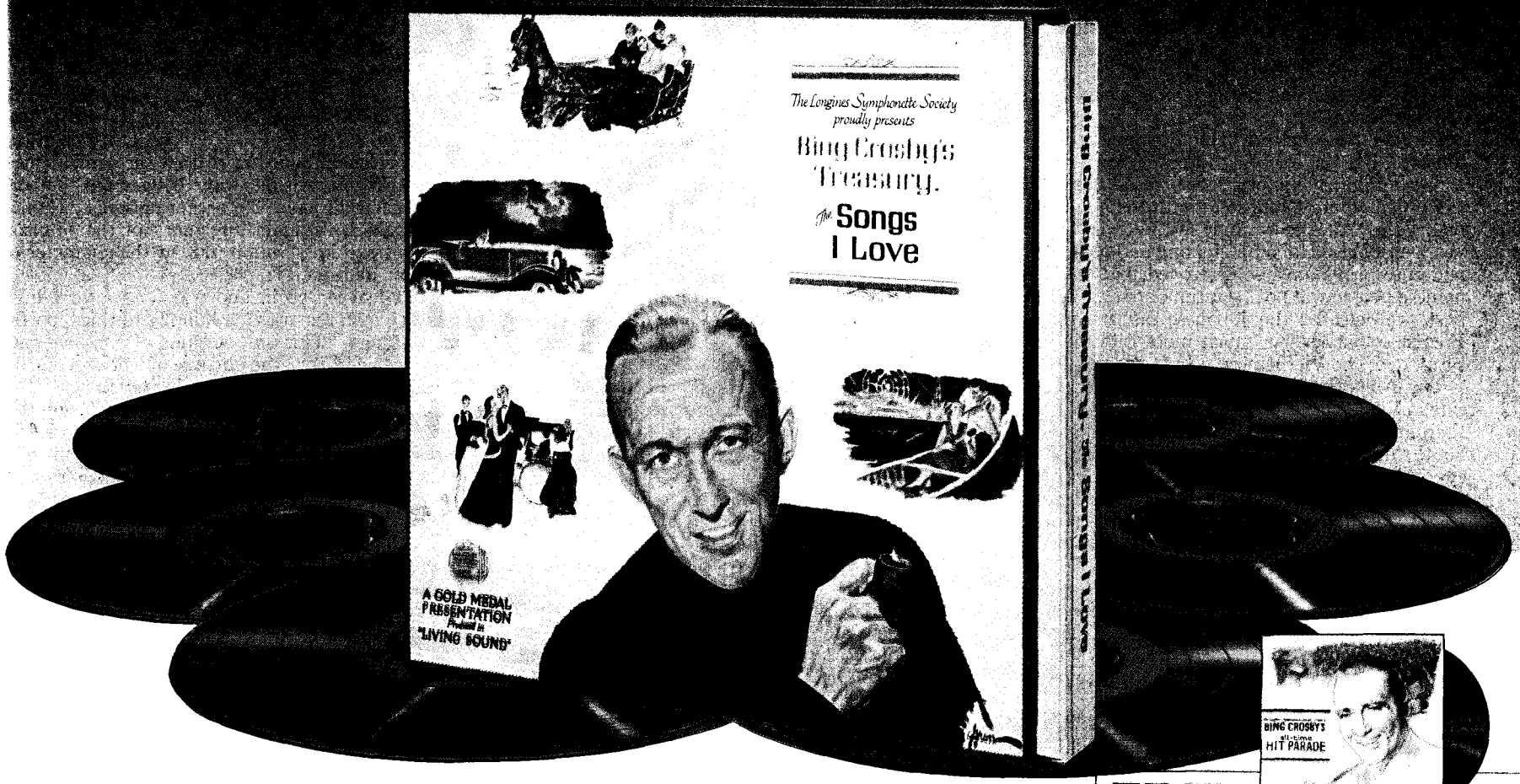
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Vietnam: great miscalculation?

Robert S. McNamara: "The essence of our military effort there must be to show the North Vietnamese and the Viet Cong that they can't win in the South. [Then] we presume that they will move to a settlement, either through negotiation or other action."

Lyndon B. Johnson: "Our diplomatic reports indicate that the opposing forces no longer really expect a military victory in South Vietnam."

Ho Chi Minh: "Johnson and his clique should realize this: . . . The war may last five, ten, twenty years or longer. Hanoi, Haiphong and other cities and enterprises may be destroyed, but the Vietnamese people will not be intimidated. . . . In the past, we defeated the Japanese fascists and the French colonialists in much more difficult junctures. . . . The Vietnamese people will win."

The McNamara thesis, that the Communist side in Vietnam "will move to a settlement," once they are convinced that "they can't win in the South," is the basic assumption of American strategy in Vietnam. In testimony on Capitol Hill, in private conversations and on-the-record interviews, McNamara and other Administration spokesmen have reiterated this basic assumption again and again.

"We're trying to show them they can't win the South," McNamara said some weeks ago in an interview with this reporter for the *Post*, "and that the longer they try to do so, the heavier will be the penalty they pay in the North. . . . They're paying a real penalty already."

The "penalty" has been increasing steadily ever since. And surely by this time Ho Chi Minh and his clique are sufficiently aware of the mountainous American military superiority so that they "no longer really expect a military victory in South Vietnam."

Did Ho Chi Minh therefore obey the script, as written in Washington, and "move to a settlement"? Not at all. Instead, a couple of weeks after the President's triumphant press-conference announcement, quoted above, he went on Hanoi radio and made the speech which is also quoted above, and which breathes defiance in every line. And at least as this is written, there is no evidence whatever that the Communists are getting ready to "move to settlement" in Vietnam.

Thus it is surely about time to face up to the fact that the McNamara thesis, the basic American assumption about the war in Vietnam, may be dead wrong. It is a perfectly logical thesis. Since he clearly "can't win in the South," the sensible thing for Ho Chi Minh to do is to cut his losses. But maybe Ho Chi Minh isn't "sensible." Maybe he means just what he says.

"You mean you think Ho is an Asian Churchill?" a high official asked with a derisive laugh when this possibility was suggested to him. "You mean 'We'll fight on the beaches'—all that sort of thing?"

Ho may not be an Asian Churchill, but Churchill's decision to fight on in 1940 was by sensible standards an illogical decision—he simply did not have the means to defeat Hitler, and Hitler had offered rather tempting peace terms. Again and again in history, for reasons irrational and even dishonorable, men have fought on when their cause seemed hopeless. Even a rat, when cornered, displays a terrible courage.

Moreover, all men—including Ho Chi Minh and his aging lieutenants—are products of their past. As Ho said in his radio speech, he and his Viet Minh guerrillas "defeated the Japanese fascists and the French colonialists" even when the Viet Minh controlled no oil depots, no factories and no town in Indochina bigger than a big village. When the Italian professor Giorgio La Pira visited Ho last autumn, Ho remarked to him that, even if the Americans bombed North Vietnam "back to the stone age," he and his men would be no worse off than they were before Dienbienphu.

Obviously the possibility that the McNamara thesis may turn out to be wrong has occurred to the Administration policy makers, including Secretary McNamara. This accounts for the warnings, much repeated in recent weeks, that the war may be long and hard. But how long and how hard?

One well-informed official believes ("but don't quote me") that the Communist side cannot continue the fight for more than two years at the most—i.e., the war will end before the next presidential election. "The V.C. and the North Vietnamese," this official points out, "are taking more than one thousand fatal casualties a week—that's more than fifty thousand dead a year, not counting wounded and defections. They just *can't* go on taking that kind of punishment indefinitely."

A thousand dead men is a lot of dead men, week after week. But there are 16 million people in North Vietnam, and many millions more under Communist control in South Vietnam. American judgments of what the Vietnamese Communists can or cannot "go on taking" have been wrong in the past. No informed official denies that the war could last more than another two years—perhaps a lot more.

In that case, one thing is absolutely predictable. The pressure to follow the prescription of Sen. Richard Russell—"go in and win or get out"—will mount and mount. Studies have of course been made within the Administration of the "feasibility of extrication" as opposed to escalation. The conclusion has always been the same. There is no presently visible way to "get out"—short of national dishonor. To accept national dishonor as the chief distinguishing mark of the Johnson Administration is simply not in the character of Lyndon Johnson.

That leaves "go in and win." As a very high military man remarked unhappily to this reporter not long ago: "This isn't our kind of war—we were always taught that the purpose of war was to subjugate the enemy and occupy his territory.'" The only way to "go in and win," short of using nuclear weapons to turn North Vietnam into a wilderness, is to attempt to "subjugate the enemy and occupy his territory," the most obvious first move being an amphibious landing to cut the Northern regime off from the South.

This may seem totally improbable. But a couple of years ago it seemed totally improbable that the United States would send upwards of 400,000 men to fight in South Vietnam.

If the war drags on and on, the pressure to fight "our kind of war," and to "occupy his territory"—or at least some of it—will mount inexorably. The bombing of the demilitarized zone is already a step in that direction. Wars have a terrible logic of their own, which is quite unlike the logic of intelligent and reasonable men, examining charts in air-conditioned offices.

In short, if the McNamara thesis turns out to be a great miscalculation, the United States could find itself involved, all unwittingly, in a military occupation of a large hostile population. The United States could also find itself involved, all unwittingly, in a very much larger and very much uglier war.

Surely all sensible men must hope, and also pray, that the McNamara thesis will prove correct, and that now that we have indeed shown the Communists that "they can't win the South," they will follow the Washington script and "move to a settlement." Otherwise, despite the brilliant job our forces have been doing in Vietnam, the outlook is for a much larger, longer and bloodier war than Lyndon Johnson, Robert McNamara or anyone else allowed for.

Stewart Alsop

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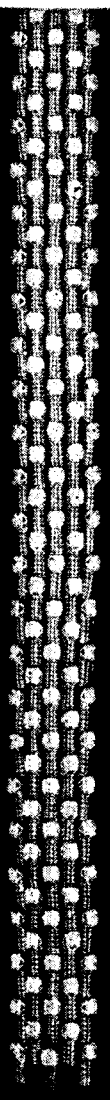

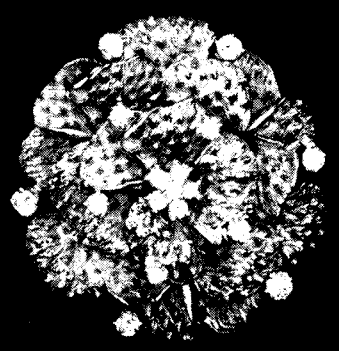

A gift of diamonds tells of ever-growing love

So many times, a look, a word suffice. Then some special day (an anniversary, perhaps a daughter's wedding or a grandchild's birth) only a tangible expression will voice the love you bear your wife. On this day the diamond jewel—love's symbol transcending all earthly values—will bring you both a very special joy.

De Beers Consolidated Mines, Ltd.

Ring, about $3200; earrings, about $350; bracelet, about $4000; brooch, about $1050. Your jeweler can show you many such pieces.

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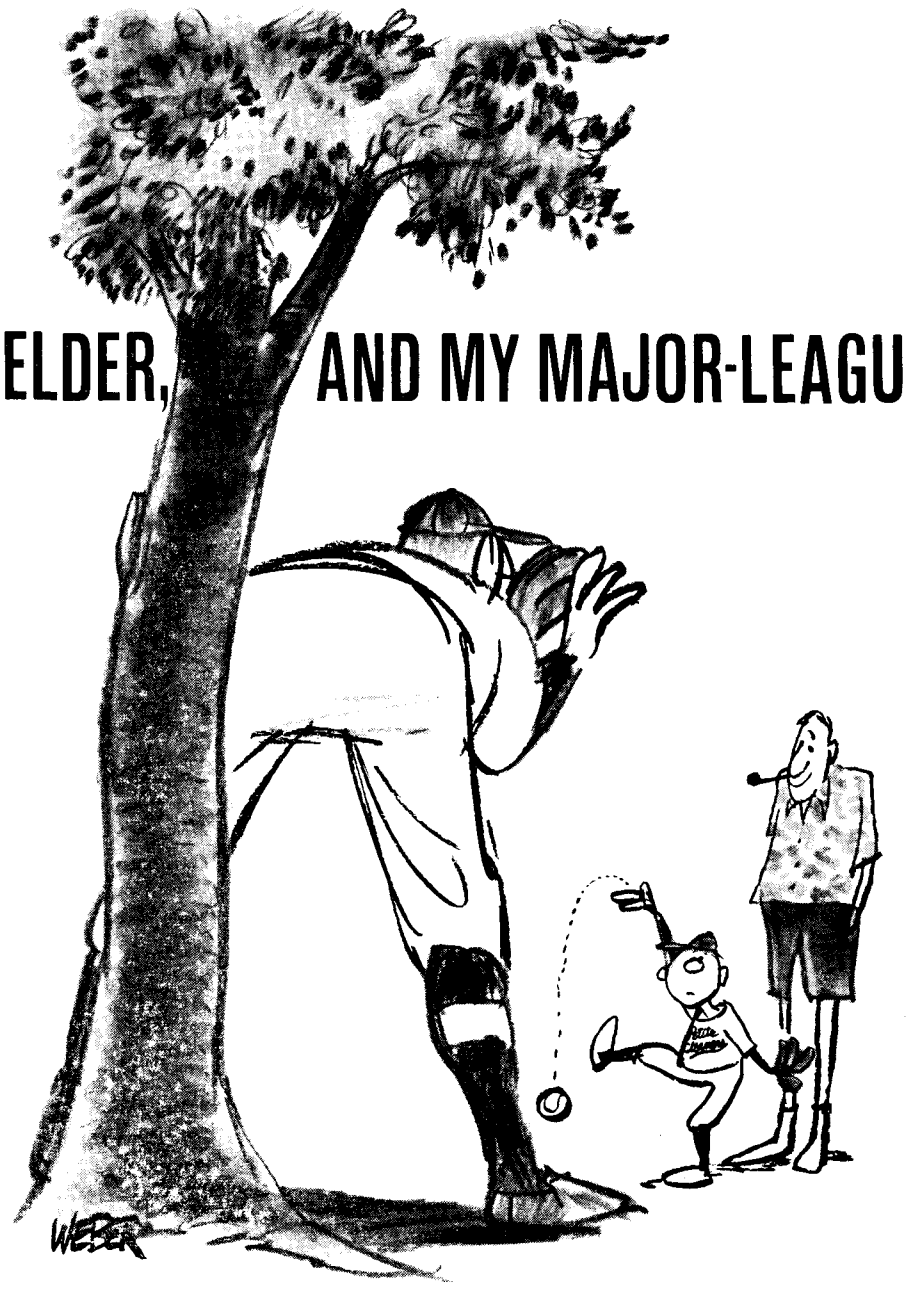
MY SON THE OUTFIELDER, AND MY MAJOR-LEAGUER, DICK STUART



I read in the paper several weeks ago that a baseball player named Dick Stuart had been given his outright release by the New York Mets. As a free agent, the story explained, the first baseman was now able to make his own deals. Theoretically, anybody could hire a free agent by buying his contract for one dollar. I suddenly realized that an ordinary fan like me could become the first person on his block to own a private major-league ballplayer.

But I wasn't going to spend money to keep Stuart on the bench in front of my house in Leonia, N.J., as a mere status symbol. He would play ball every day with my son, the utility outfielder.

Stuart seemed an ideal tutor for my eight-year-old boy because I wanted somebody who wasn't perfect. A young ballplayer can be ruined psychologically by having to measure up to a perfectionist. To err is human, and Stuart's performance in the field proved that he was a regular fellow. His ability to turn a routine ground ball into a sports thrill had earned him the honorary title, "Dr. Strangeglove." He liked working with kids, judging by the way he had fielded questions from boys on his *Stump Stuart* pregame TV show.

I was in the market for a major-leaguer because of what happened this spring in my son's first season of organized ball. His lifetime baseball record with the Petite Cleaners of the Leonia Skeeter League, reproduced at the right, is not impressive. But scouting reports on my boy were encouraging. The only thing wrong with him, according to neighborhood bird dogs, is his father.

The boner I pulled as manager of his career was believing those psychological articles about the dangers of pushing your boy to star in the little leagues to gratify your own sick needs. When we talked about this in the hot-stove league last winter, the Petite Cleaners fathers agreed it was best to let the kids learn the game at their own speed. But on Opening Day, I discovered I was the only enlightened father who hadn't been taking his boy behind the ranch house at night to teach him everything he knew. Well, I would show them how a father *really* can encourage his boy to become a star.

The ex-Met slugger leads the league in self-confidence, so I wrote to him in his own language. "Congratulations," began my letter to Stuart at his home in Greenwich, Conn., where he was awaiting job offers. "I've decided to pick up your contract for 1967." To prove it was a firm offer, I enclosed my personal check for one dollar.

"Your duties will be to teach my boy the fundamentals of the game," I wrote, "especially fielding. With a man of your stature tutoring him I see no reason why he can't be ready for the majors within 12 years. None of the little leagues in New Jersey offer instruction in basic economics for young ballplayers, so this is an area where my son really can benefit from your wisdom. He endorsed Petite Cleaners by wearing the company's shirt all season without collecting a penny."

I closed by assuring my new ballplayer that I hoped to sit down with him as soon as possible to talk salary for 1967. "I'm sure we'll be able to work out a fair price for your services," I wrote, "based on the fact that you are currently unemployed. P.S. What size Petite Cleaners shirt will you need?"

Several days later I wrote him a second letter. "I hope your silence doesn't mean you're planning to be a holdout for 1967. Let's stop this haggling and come to terms. Incidentally, my son says that since I'm buying ballplayers, he would prefer Willie Mays."

A few days after that, the phone rang at my house. "It's somebody named Dick Stuart," my wife called out.

"I was out of town and just got your letter," Dick Stuart said. "How much money are you talking about for 1967?"

"Mr. Stuart, I've always been one of your great admirers," I said. "I'm the former president of the Dick Stuart Fan Club of Leonia. I resigned in protest when the club voted to change its name to the Ed Kranepool Fan Club after the Mets released you. . . ."

My ballplayer interrupted, "How much money did you have in mind?"

"I've analyzed your career," I said, stalling while I figured how to explain to my wife that I had bought a major-leaguer for the house when we didn't have a maid. "Branch Rickey said a winning player has to be hungry. By working for me, you could work yourself into proper financial condition."

JAMIE LINCOLN KITMAN. Outfielder.
Ht. 4'6". Wt. 65 lbs. Bats: right. Throws: right. Born: Dec. 25, 1957. Home: Leonia, N.J.

Year	Team	League	G	AB	R	H	RBI	HR	BB	K	B. Ave.
1966	Petite Cleaners	Skeeter	6	4	0	0	0	0	0	4	.000

Again Stuart asked about money. "You only hit .218 for the Mets before they dropped you," I said.

"Do you realize I made $40,000 last season?" he asked. "And that a lot of clubs are still after me?"

Obviously Stuart, the master bargainer, was escalating his salary demands by mentioning offers he was getting to jump to Japanese baseball. "Don't think you're the only player who could help my boy," I said, as cold as any major-league magnate dealing with a hireling. "Dee Fondy and Wayne Terwilliger are also free agents."

"Why don't you teach the kid how to play ball yourself?" Stuart suggested.

"And have the kid hate me because I pushed him into baseball?" I asked. "I did show him how to take a cut at the ball before one game. He struck out every time. But that was just his way of rebelling against his father."

"Nobody can teach your boy how to play," Stuart said.

"Are you trying to tell me my son is hopeless?"

"I mean all you can do is *show* kids the fundamentals of the game. Not even Ted Williams could *teach* an eight-year-old. A kid has to mature first."

To break the impasse, I made a concrete offer. "I'm sure your accountant would prefer a deferred-payment deal. I'll give you fifty percent of the bonus the kid gets when he signs with a major-league club, plus the Cadillac."

Stuart shrewdly avoided saying no—and he left the door open by telling me to get in touch as soon as I figured out what I could pay him next year.

One solution to the high cost of owning a private major-leaguer was to lease him to other fathers who wanted their sons to sit at the feet of a master. I had two days of Stuart's time booked for 1967 when I read that my ballplayer had been lured away by a cartel of West Coast oil and real-estate tycoons called the Los Angeles Dodgers.

Connie Mack once said, "You can't win them all." But I wasn't discouraged. I had a hunch Stuart might soon be a free agent again, and my strategy now was to play a waiting game. I wrote Stuart a letter congratulating him on his new job with the Dodgers. "Just a reminder that my offer still holds for next season. Spring training begins on April 1 at Sylvan Park in Leonia. I don't want to influence your decision, but Sylvan Park has a short left-field wall." □

By Marvin Kitman

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How come half of all the people in Buffalo are insured by Metropolitan Life?

Every day of the week, Buffalo turns out tons of machinery, oceans of chemicals, and enough flour to feed several armies.

A hardworking city—just like the people who live there.

When Buffalo people are in the market for life insurance, you can bet they expect to get their money's worth. Which helps explain why half of the entire population is insured by Metropolitan Life.

Take our special new package policy for young families, for instance.

It gives you permanent life insurance with cash values. And you also get the extra protection of low-cost term insurance, which can be turned into permanent insurance in the future.

For a 25-year-old father, this policy—together with a special family income feature—can guarantee enough initial protection to pay his widow $40,000 over the years. Yet, it costs only $16.50 a month.

Why not give your Metropolitan adviser a call? He'll give you straight facts and figures and Metropolitan's Family Security Check-Up.

There's no obligation...*except to those you love.*

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The Saturday Evening POST

'WHEN I LOOKED IN THOSE FILES, MY EYES POPPED'

By JAMES PHELAN

A meek accountant stole his boss's records and bared a $200 million California tax scandal. It soon may shake the entire nation.

At 3:30 A.M. on July 4, 1965, a middle-aged man named Norman Phillips pulled his car to a stop near a building in Castro Valley, Calif. The building housed the offices of Phillips's employer, who was home in bed, unaware that Phillips was abroad in the night on a heady and hostile mission. Accompanied by a friend, a bartender, Phillips let down the tail gate of a small rented trailer and took out a furniture-mover's dolly. The two let themselves into the office with Phillips's key. Working in the dark with swift, silent efficiency, they wheeled out five of the employer's filing cabinets and his desk and loaded them

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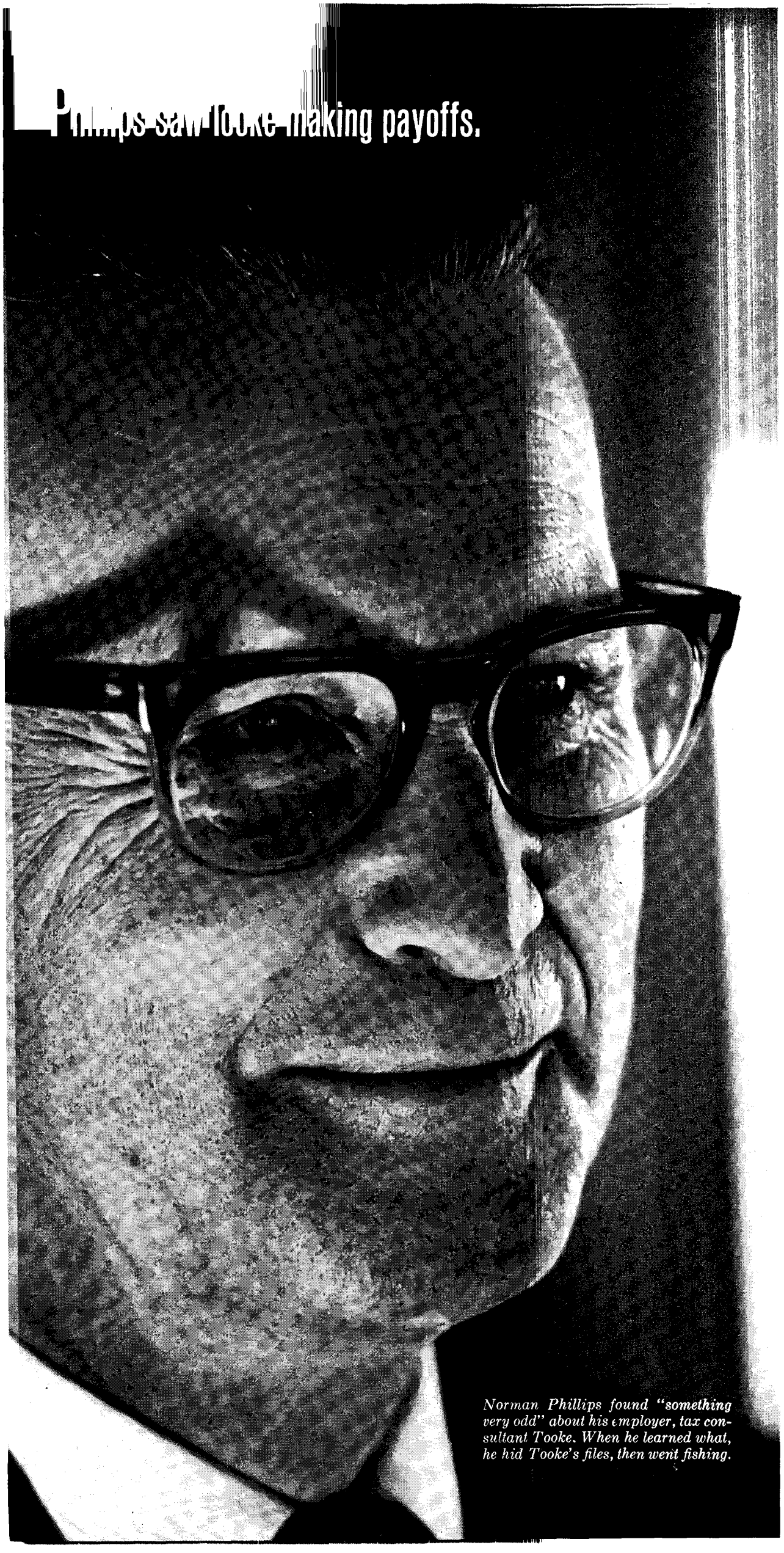
Phillips saw Tooke making payoffs.



Norman Phillips found "something very odd" about his employer, tax consultant Tooke. When he learned what, he hid Tooke's files, then went fishing.

into the trailer. Then they drove a few blocks to an empty garage, where they cached their haul.

"The entire operation took exactly eight minutes," says Phillips. "It went as smooth as silk."

Phillips's smooth operation shook the tax structure of California to its foundations, wrecked a number of private and public careers and sent a subterranean shock wave shuddering through some of the biggest corporations in the United States. For what he had collected in the office of tax consultant James C. Tooke was documentary evidence of a gigantic and systematic fraud. The exact amount of money involved is not yet certain, but officials estimate the loss to the public treasury in California alone at $200 million.

Norman Phillips is an unlikely figure for a drama of such dimensions. He is a mild-mannered, bespectacled fellow with a faintly apologetic air. He looks like what the people of Castro Valley, a suburb of Oakland, took him to be—a dutiful bookkeeper for an obscure little firm.

In 1962 Phillips joined James C. Tooke & Associates, tax consultants. The firm was somewhat pretentiously named. It consisted merely of Tooke, Phillips and a secretary, and it occupied a small stucco building on Redwood Boulevard. Phillips's salary was $12,000 a year. At the time of his midnight foray, he was separated from his wife and living with his mother in Castro Valley.

James Tooke also seems badly cast for his role of high intrigue and convoluted dealings. He is a gray-haired, orderly-minded tax consultant fond of conservative suits and the genial slapping of backs, the kind of man one sees in hotel lobbies during big conventions. He had a busy tax practice representing an impressive number of major West Coast and national corporations and enjoyed a reputation among his clients as a man who got things done. Ostensibly, his business consisted of preparing annual local tax returns for his clients and seeing to it that they took full advantage of legal exemptions, deductions and interpretations of the complex county tax laws. If there was anything unusual about James Tooke, it was the contrast between the modesty of his offices and the eminence of his corporate clients.

"About ten months after I went to work for Mr. Tooke," Norman Phillips says, "I became aware that there was something very odd about his tax practice." Phillips's suspicions were aroused when he accompanied Tooke to the 1962 California convention of tax assessors, held at a resort hotel in Fresno. Over a period of several days, Phillips recalls, Tooke was visited by a number of assessors and their deputies, to whom the tax consultant handed plain, sealed, white envelopes which they tucked away without opening. In following months, according to Phillips, deputy assessors often called on Tooke in his Castro Valley office. They seemed on remarkably friendly terms with him.

"I gradually got a pretty good notion of what was going on," Phillips says, "but I knew that proving it was something else. I noticed that Tooke had some filing cabinets that he always locked, even when he stepped out of the office for a few minutes." Phillips bided his time. Twice Tooke grew careless and left the cabinets unlocked. "I took a fast look into those files, and what I saw made my eyes pop," Phillips says. "I thought things over for a long while, and in the summer of 1965 I decided to go into action."

He prepared for his move against Tooke with great care. He scouted the neighborhood of the little office night after night, until he had worked out the schedules of the police cars and the private patrolman hired by nearby shopowners. "I figured that if I went to the office at 3:30 A.M., I would have twenty minutes between the last visit of the patrolman and the next swing-by of the police," Phillips says. He scheduled his operation for July 3 but had to cancel it at the last moment when his friend was unable to join him. The next night, like a Walter Mitty turned activist, Norman Phillips brought James Tooke's world crashing into ruins.

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While the purloined files remained in the locked garage, Phillips went off on a fishing trip, James Tooke raged quietly around town with a hastily hired private investigator, and the telephone lines buzzed with angry and cryptic conversations that no one subsequently would discuss with any candor. Then, late in July, Tooke's files passed by a circuitous route into the hands of California law-enforcement officers. Thus erupted one of the most far-reaching—and widely ignored—governmental scandals of modern times.

Tooke's files contained detailed records of bribes paid to county assessors' offices for fraudulent tax cuts running far up into the millions. The cabinets were jammed with canceled checks, memoranda of cash payments, incriminating correspondence. For years James Tooke had been making payoffs to public officials in California and elsewhere and carefully recording each transaction with the compulsion of a well-trained accountant. The trail of his briberies led directly into the offices of the assessors of San Francisco, San Diego and Alameda counties, and there were spoors running in a dozen other directions in California, north to Seattle and east to Illinois and New Jersey.

Today, after a year of intense work by a series of grand juries and by a special task force set up by California's Attorney General Thomas Lynch, Tooke's five-cabinet Pandora's box still has not been plumbed to the bottom. "It will take at least two years to run down all the leads," says Marshall Mayer, head of the attorney general's inquiry.

Twenty persons have been indicted, including 13 county assessors and deputy assessors. Two assessors have been tried and convicted, including San Francisco's Russell Wolden, veteran of 28 years in office and often called "the dean of American tax assessors." Another assessor committed suicide while under investigation. The assessor in Seattle and his top assistant resigned when confronted with evidence from Tooke's files. The scandal has snowballed: Now 27 of California's 58 counties are under investigation, and as a result of the California disclosures a number of other states are taking a critical look at their own tax-assessment practices. "This is only the California tail on a very large national dog," says Charles O'Brien, Lynch's top deputy. "The difference between California and other states is that we found out what has been going on." Says Norman Phillips, "There are men like Jim Tooke all over the country, operating the same way. They are well known in tax consultant circles and to people in many assessor offices in other states."

By any yardstick, the assessor scandal dwarfs the great Teapot Dome affair of the 1920's. But where Teapot Dome set off a national uproar that reverberated for years, the assessor scandal has stirred scarcely a ripple on the national conscience. It has had almost no attention outside California. Two of the three national newsmagazines completely ignored it, and the wire-news accounts have been sporadic and fragmentary.

In California the political response to the disclosures has been a thunderous silence. Although local taxes directly affect every voter in the state, neither party has raised the assessor affair as an issue in the state campaigns currently raging. For the affair has roots that run deep in the political and economic establishment underlying both parties. The business firms and individuals who profited from the tax frauds include financial supporters for both the Republicans and Democrats. A politician who levels his lance at the scandal runs the risk of spearing his own backers. Not even Ronald Reagan, the G.O.P. candidate for governor, mentions the scandal in his wide-ranging attacks on the evils of the bureaucrats.

Although Governor Brown has not been linked to the scandal, a number of his campaign contributors were heavily involved, and the racket flourished through seven years of his administration. Three years ago, in fact, the State Board of Equalization stumbled onto extensive evidence that James Tooke's clients were getting massive favors from San Francisco assessor Wolden. "The state appraisers had the whole scandal staring them in the face," says a legislative consultant, "and they walked away from it." The board report on the matter went into a Sacramento file while the bribery went merrily on—until Norman Phillips rented his trailer and struck in the night.

The scandal is a classic case study of what happens when governmental authority is delegated without adequate checks and balances.

Like most states, California put together its taxing system piecemeal over many years. The result was a jerry-built structure that raised a whopping $3.5 billion a year for schools and local government. It invested the county assessors with vast powers and then cloaked the operation of their offices in secrecy. The law did not require an assessor even to inform the public of the formula by which he assessed taxes, and it legally shielded his computations from scrutiny. The state-published *Assessor's Manual*, which attempts to set forth the ground rules, is a 2,200-page thicket of bureaucratese. "The more I learn of assessors and their assessment practices," said Attorney General Lynch, "the more I believe that Lewis Carroll wrote the tax code. Even Alice, as amazed as she was at the strange practices in Wonderland, could find out what was going on. But the assessors' records are more closely guarded than our atomic secrets—from the public, the taxpayers and law enforcement."

"In practice, your tax bill is whatever the assessor says it is," says a Sacramento legislator. "The assessor is the nearest thing to an absolute monarch in the western world."

The assessor's job is simple in theory. It consists of determining the fair market value of all property in his county, whether it is a $1,000 desert shack, a $600,000 mansion or a huge aircraft plant. The county tax rate is applied to his assessment figure, and the result is the homeowner's or corporation's tax bill.

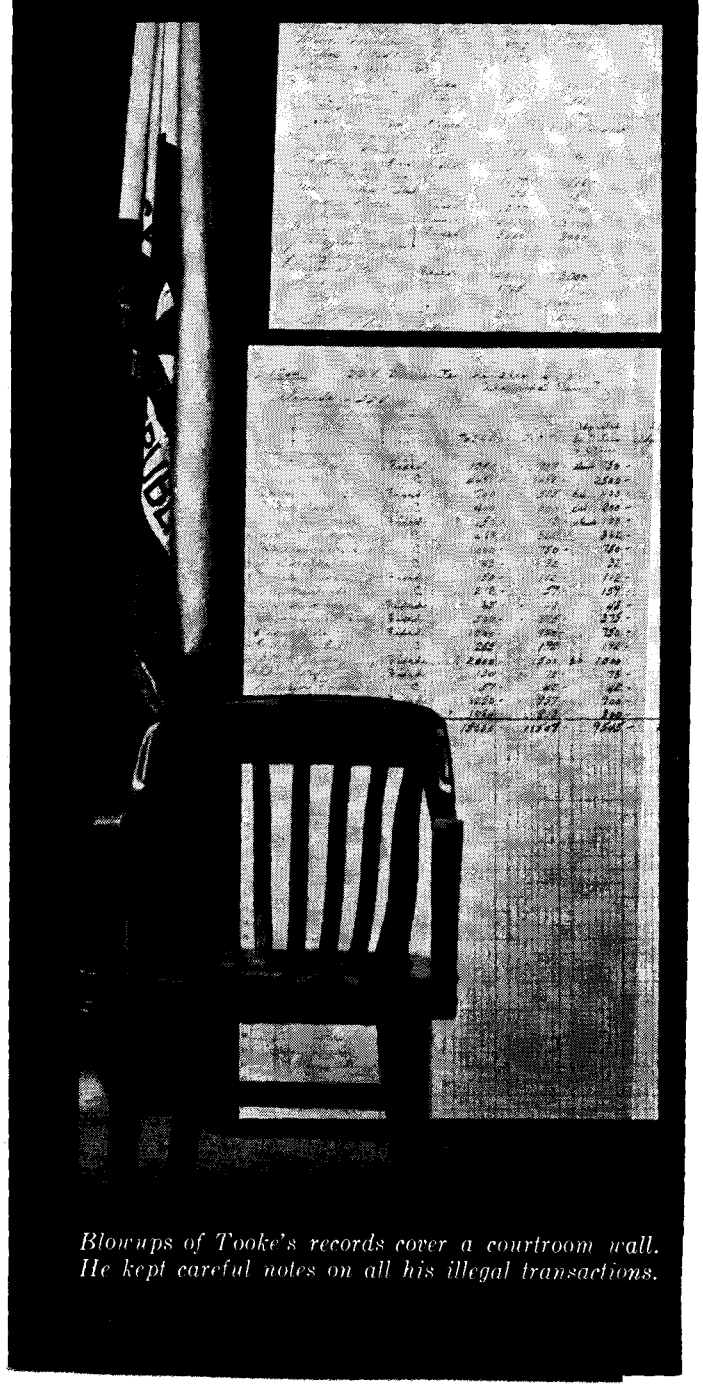
California's constitution requires that all property be assessed at "full cash value" and all property owners in a county be treated equally. These simple, straightforward guidelines, however, were twisted, revised and "interpreted" by assessors into a tangle of complexity and injustices. No assessor in the state appraises property at full cash value, and many systematically violate the equal-treatment provision. This distortion of the constitution began years ago and set the stage for the scandal that now plagues the state.

Back when California was sparsely settled, counties competed with each other in luring new residents and industries by lowering their assessment rates. One county cut its rates below full cash value. Others undercut that. Assessment levels spiraled steadily downward until the counties presented a bewildering variety of practices. Some years ago the state stepped in and set up the State Board of Equalization, to halt competition between counties in lowering assessment rates. The board was to equalize assessment levels throughout the state and put all counties on roughly the same footing. The fact that county rates were equalized at only 23 percent of true value shows how freely the assessors had abandoned the constitutional requirement of "full cash value."

This equalization, however, did not remove inequities *within* the counties. The state board samples a cross section of property in each county. If the county's *average* assessment rate matches the 23 percent state norm, the county gets the board's seal of approval. Thus, a county assessor can undervalue private homes and over-assess business firms without intervention by the state. The practice is neither fair nor legal, but it is an effective way for an assessor to get re-elected, since homeowners greatly outnumber business owners.

The combination of complex laws, arbitrary administration, unequal assessment rates and im-

James Tooke bribed public officials to cut companies' taxes, then collected large fees from the companies.



Blowups of Tooke's records cover a courtroom wall. He kept careful notes on all his illegal transactions.

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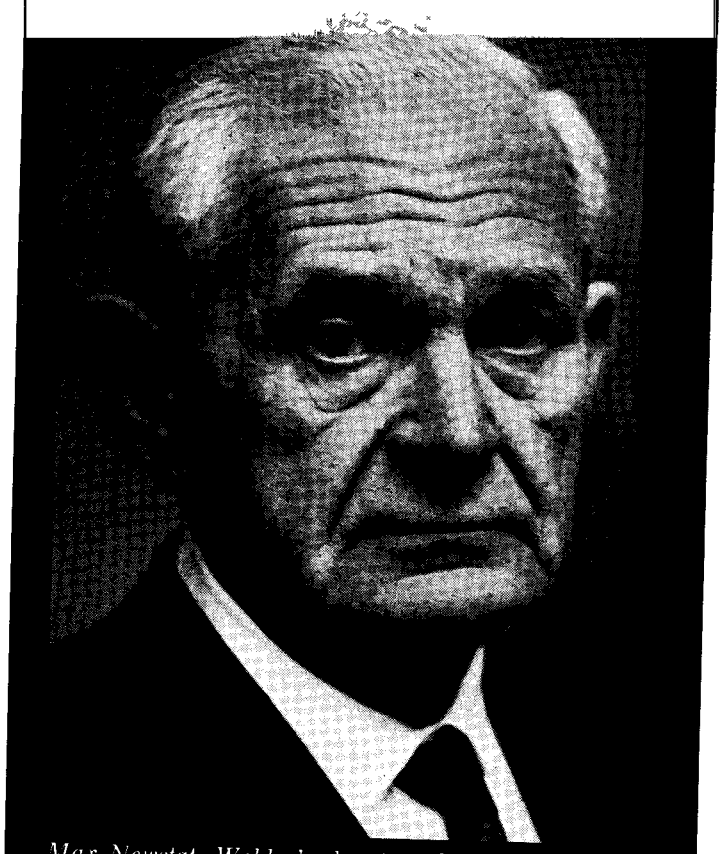
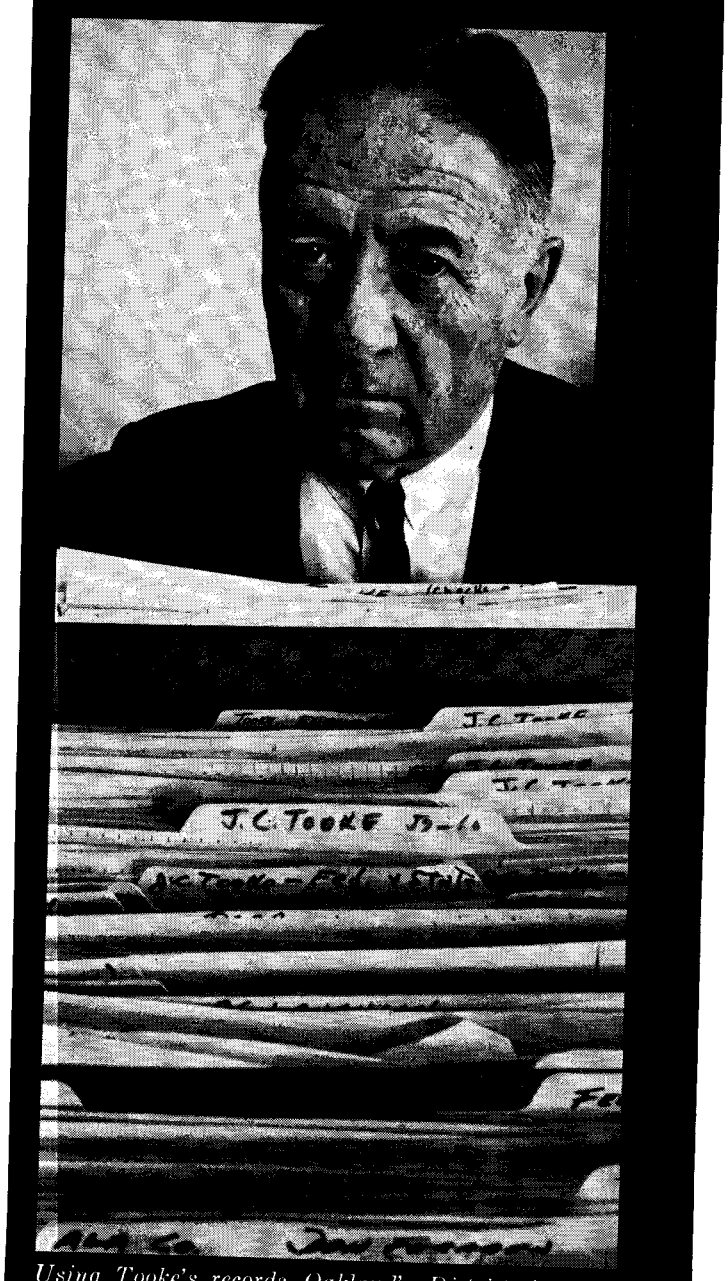
For cutting a hotel's tax assessment, the "lay-off man" gav



Max Newstat, Wolden's deputy, admitted he shaved the taxes of certain companies "because I was paid to."



Using Tooke's records, Oakland's District Attorney Frank Coakley recovered $2 million in escaped taxes.

penetrable secrecy gave rise to "tax consultants" such as James Tooke. They offered themselves to a bewildered business world as elite technicians trained to cope with the assessors. They made their services virtually irresistible by offering to work on a contingency-fee basis, charging nothing if they failed to cut the client's taxes.

The consultants focused on the county tax levied against equipment and inventories of large firms. The tax is unpopular with business and difficult to administer. It has little or nothing to do with a company's earning—and tax-paying—capacity. Some businesses with a slim profit margin require high inventories and expensive equipment; others, particularly services industries, have a high profit margin and almost no inventory or equipment. The built-in inequity of the tax was a major factor in the widespread corruption. Convinced that the tax was unfair, business firms had no scruples about dodging it by any available means. One method is to ship a company's taxable inventories out of the state immediately before the annual assessment date. In Nevada there are huge warehouses used mainly to shelter California inventories during the assessment season.

In levying the inventory tax against thousands of business firms, the assessors faced the impossible job of appraising such disparate items as a vast plane factory's supply of partially completed jet airliners, a giant warehouse full of tomato products and a studio's collection of motion pictures. In addition, many firms maintained their records at out-of-state central offices. Lacking manpower, know-how and access to reliable data, most assessors simply accepted the company's figures. They then applied their weird jumble of ratios to this unverified data. The resultant tax bill was much like a problem in New Math worked out at the Mad Hatter's tea party. Aware that no one could even back-check his computation, a dishonest assessor was wide open to the bribery of a corrupt tax consultant.

Tooke, a graduate of the University of California's School of Business Administration, learned his way around the tax-assessment thicket at the Alameda County assessor's office in Oakland, where he worked from 1952 to 1959. Then he decided that there was more money in helping big taxpayers avoid taxes than there was in assessing them, and he joined the New Jersey firm of Desmond, Dawson and Van Cleve, one of the nation's biggest tax-consultant organizations, as its West Coast partner. In 1963 he struck out on his own as James C. Tooke & Associates. His background was typical of many business-tax experts. "The assessor-tax consultant relationship is like an incestuous ant heap," says Deputy Attorney General O'Brien. "People from the assessors' offices become tax consultants, and tax consultants often become assessors. There is a great deal of scurrying back and forth, and everybody is on a palsy-walsy basis with everyone else."

According to Tooke he spent the first 18 days after Phillips's raid trying to negotiate the return of his files. Then, tipped off that the San Francisco *Chronicle* was breaking "a nasty story" next day, he panicked. He began calling his "partners" in the assessors' offices and learned that they already were under interrogation by district attorney's men. That night he phoned San Francisco assessor Wolden, who coldly advised him to "get a good lawyer." Shortly afterward, Tooke decided to turn state's evidence. In the following months he testified extensively before three grand juries, three criminal trials and a legislative investigation. When Tooke caved in and talked, a number of his contacts in the various assessors' offices followed suit. As a result, the state was able to document the scandal from both ends of the bribery conduit.

Tooke told his story in an oddly prim fashion. He persisted in using the most respectable-sounding business terms to describe what went on. He related dozens of instances of bribery without ever using the term "bribe." In his vocabulary, a bribe was an "advance," a "contribution" or a "fee." The fraudulent tax-cut it bought was an "adjustment," an "allowance" or a "negotiated settlement," and the whole corrupt process was an "arrangement." Tooke testified that when he joined the tax-consultant firm of Desmond, Dawson and Van Cleve in 1959, partner John Desmond came out to California to show Tooke the "procedures that they had been following in prior years," as Tooke phrased it. Desmond toured the West Coast with Tooke, introducing him to clients and assessors. Tooke was soon passing on money to public officials on a wholesale basis.

"I don't particularly like the word 'payoff,'" Tooke said with distaste. "Mr. Desmond always used the term 'professional fee' or 'political aid.'"

Tooke charged his clients between 30 and 40 percent of the tax "saving" he obtained for them. If a client had a $50,000-a-year tax bill and Tooke got it cut in half, Tooke received 40 percent of the $25,000 saving, or $10,000. Out of his $10,000, Tooke paid his contact in the assessor's office for cutting the assessment. It was a system under which everyone profited except the public and those taxpayers who weren't in on the operation.

Tooke's conduit into the San Francisco office was Max Newstat, right-hand man and confidant of Assessor Wolden for 25 years. Newstat was in a strategic position as "fixer." He handled only the major accounts on the San Francisco tax rolls and had ready access to Wolden. Like Tooke, Newstat crossed over to the side of the state when the contents of Tooke's private files were opened to public view. Unlike Tooke, Newstat did not dress up his actions with euphemisms. He said that he fraudulently reduced tax assessments "because I was paid to do it."

Newstat testified that he first met Desmond in 1949 and that he had received checks from the New Jersey tax consultant, passed the money on to Wolden—and told Wolden where it had come from. "I wasn't in the circle when the original plans were formulated," Newstat testified. "I gather it was Mr. Desmond and Mr. Wolden." When Tooke joined the New Jersey firm in 1959, he "inherited" Newstat as a contact.

Over the years, Newstat swore, Tooke and other "wired-in" tax consultants carved millions of dollars off the assessed valuations of their clients' San Francisco properties with Wolden's knowledge and consent. The tax consultants cut their clients' bills in a variety of ways. Sometimes Tooke would file an honest report from his client, and Newstat would arbitrarily reduce it. On other accounts, Tooke would turn in doctored figures and Newstat would approve the fraudulent report. On one occasion, Tooke literally cut a client's taxes—with a pair of scissors. The client, a can company, had provided Tooke with a statement setting the taxable value of its inventory and equipment at $20 million. The report had a section at the bottom listing $3 million worth of equipment. Tooke simply clipped off this section, reducing the list of taxable items to $17 million.

Other examples from the San Francisco office:

1. Over five years Wolden reduced the assessed value of a major paint company by $3 million. During the same period, Wolden received $17,500 from the company's consulting tax lawyer as a "referral fee" for getting him the company's account. The lawyer paid Wolden a total of $125,478 for "referring" clients with tax problems to him.

2. One big San Francisco taxpayer picked up the tab for Mr. and Mrs. Wolden's annual spring vacation in Europe. This benefactor filed blank

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/olden two thousand dollars.

tax returns annually, and Newstat and Wolden filled in the figures for him.

3. Newstat told of watching a consultant cut his client's $585,299 assessment by erasing the first "5" and typing in a "3". At the Wolden trial this spring, the jury saw the "5" showing through.

4. Newstat testified that Wolden instructed him to give favored tax treatment automatically to firms that contributed to his political campaign fund. Campaign contributions for Wolden were frequently made in cash. The cash went directly to Wolden, Newstat said; the traceable checks went to Wolden's campaign fund.

Wolden freely conceded that he received large sums of money from the taxpayers seeking reductions in their assessments, or from the consultants representing them. He insisted that the gifts were legitimate campaign contributions and had nothing to do with the reductions in the tax assessments. "Assessors have a built-in conflict of interest every time they take a campaign contribution from a taxpayer," says Deputy Attorney General O'Brien. "Their relationship to a taxpayer is much like that of a judge toward a defendant. We wouldn't tolerate for a moment a system whereby a defendant came before a judge for trial, and handed him a bundle of cash for his election campaign. But this kind of thing goes on continually with assessors."

One case that highlighted the contribution problem involved Regal Pale brewery, a San Francisco firm that had been purchased by a Los Angeles beer-making company. In 1963 Regal Pale's lawyer, James J. Arditto, began importuning Wolden's office for a reduction in Regal Pale's tax assessment. In the same year, Max Newstat testified, Arditto began handing him annual gifts of $2,000 in cash "for Wolden's campaign." In 1964 and again in 1965, Arditto came up to San Francisco, argued for further assessment reductions, and each time handed Newstat a plain, sealed envelope containing a $2,000 "campaign contribution." In none of the three years was Wolden running for office.

Arditto maintained that he handled the money simply as messenger boy for Regal Pale. He denied that there was any connection between his handing Newstat an envelope containing $1,000 bills and the substantial reductions in assessment granted to Regal Pale. Although the money was twice passed immediately after he requested a cut in taxes, he declared, "One had nothing to do with the other." He insisted that Wolden actually had treated his client harshly and that Regal Pale was grossly overassessed by Wolden in every year he delivered the cash "donations."

"And yet you continued to give these envelopes for campaign contributions each year?" the district attorney asked.

"You say I gave," replied Arditto. "I *delivered* two envelopes." The transaction plainly disturbed the grand jury that indicted Wolden. "If they [the brewery] wanted to make a campaign contribution," one grand juror asked Arditto, "don't you think they could write a check and mail it?"

Arditto: "I can't answer that question."

Juror: "Doesn't that strike you as strange?"

Arditto: "I don't think it was any of my business, sir."

The jury that convicted Wolden on ten counts found that the assessor had committed a crime by accepting the money Arditto delivered. Neither Regal Pale nor Arditto was charged with any crime in giving the money or delivering it.

Tax consultant Tooke used a more circuitous route to deliver money to the assessors. He employed a system that enabled him both to disguise his bribery and write off his bribes as a business expense. He would pay the bribe by check to a third person or "lay-off man," who would bill

Convicted of taking many thousands of dollars in bribes, Russell Wolden of San Francisco was once known as "dean of American tax assessors."

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One man denied his guilt, then killed himself.

Tooke for "professional services" equal to the amount of the bribe. Tooke then charged off the bribe as a legitimate expense on his income tax. In the event his federal tax return was audited, Tooke could produce a paid bill for "legal fees" or "assessment surveys" to account for the money that passed through his hands.

The intermediary would record the bribe as income, pay the federal income tax on it and pass on the remainder to the assessor in anonymous and untraceable cash. This system reflected the healthy respect that Tooke and his assessors had for the Internal Revenue Service.

One such transaction was documented in detail at Wolden's trial. In 1961 Tooke acquired as a client a new major hotel in San Francisco. Tooke trudged his well-beaten path into Wolden's office and in due course won a $28,228.82 reduction in the hotel's taxes. For this "tax saving" Tooke collected one third, or $9,409.60, from the hotel as his fee. At a conference in Wolden's office, Tooke testified, the assessor instructed him to route Wolden's cut to a new "lay-off man," a deputy city attorney named Orville Wright. Tooke dispatched a check for $4,700 to Wright and got a billing from Wright for $4,700 for "legal services." Wright testified that Wolden then told him to keep $2,700 for the income tax and for his own use, and forward the remaining $2,000 to the assessor. When Wright suggested that he mail Wolden a check, the assessor exploded in fury at this naïveté. "Hell," Wright quoted Wolden, "I don't need you for a *check*." Wright then procured $2,000 in $20 bills for the assessor.

Wright, who was involved in only this single transaction, was one of the most damaging witnesses at Wolden's trial. Wolden's defense was that Newstat and Tooke were liars, and that if there was any corruption in the assessor's office, it was between Newstat and Tooke. With Wright, the prosecution cross-corroborated Newstat's and Tooke's accounts and put Tooke's cash in Wolden's pocket by the testimony of a third witness.

The first pitchforking into Tooke's files brought up a twin scandal in the Bay area. In Oakland, Donald Feragen, assessor for Alameda County, was indicted almost simultaneously with Wolden. Feragen was convicted this spring in a trial that was like a small-scale duplicate of the Wolden trial. Tooke told the same basic story. But the trial did produce an unusual alibi: Feragen maintained that on the night Tooke said he dumped a briefcase full of bribery cash on Feragen's kitchen table, the assessor was elsewhere, taking a mandolin lesson.

Although the Alameda frauds were generally smaller than those in San Francisco, they were substantial. District Attorney Frank Coakley set out at once to recover as much of the escaped taxes as his office could scoop up. In six months he fetched in over two million dollars.

In the first quick run-through of Tooke's files, the investigators extracted a folder of notations on his dealings with the San Diego assessor's office. "When we turned the folder over to the district attorney for San Diego County and told him what was happening he was outraged," says one investigator. "He said he had known the assessor personally for many years and knew him to be an honorable man. He said it was disgraceful to implicate such a fine public servant. We kept saying, 'Read the folder, sir, read the folder.' When he saw what was in it he was stunned."

Promptly the district attorney summoned the grand jury and began questioning assessor John McQuilken. The assessor bitterly denied wrongdoing, refused to answer any questions and then went home and took a fatal dose of barbiturates. The grand jury indicted seven persons, including John Cox, McQuilken's chief deputy; among other things, Cox was charged with accepting a Rolls-Royce in return for dispensing tax favors to veteran tax consultant Homer Goehler of Portland, Oreg. Also indicted were two New Jersey tax consultants, John Desmond and Jordan Van Cleve, of Desmond, Dawson and Van Cleve, the firm that gave James Tooke his start.

In Tooke's capacious files, the attorney general's men found a thick folder of correspondence and canceled checks and flew up to Seattle. There they turned the folder over to the district attorney. Soon afterward, Seattle Assessor A. J. (Tony) Steen and his chief deputy, Arthur Lee, called the press and announced that they were resigning. Next day they went into court and pleaded guilty, Steen to accepting a $1,100 bribe from Tooke, Lee to aiding and abetting bribery.

The Seattle chapter of the scandal involved much more than one $1,100 bribe. When Steen resigned, his attorney acknowledged in a public statement that Steen had received "between $11,000 and $12,000" from Tooke, and that "these funds originated with a tax consultant in Portland." Tooke's files showed that the tax consultant was Homer Goehler, the Oregonian who bought the Rolls-Royce for Deputy Assessor Cox in San Diego. Goehler's dealings with Steen illustrated the interstate connections of the "incestuous ant heap" of tax consultants and assessors. Goehler, in Portland, Oreg., passed his payoffs to Steen, in Seattle, Wash., via Tooke, in Castro Valley, Calif. In the transaction, Tooke served as "lay-off man" to conceal the trail of cash and take care of the federal income-tax liability. With his habit of recording everything, Tooke preserved Xerox copies of Goehler's checks with such notations as "From Goehler for Tony Account," "Deduct Taxes and Pay Tony," and "Gave to Tony May 10, 1965, S.F. Airport."

"People who keep such records usually use a code," said an investigator. "Not Mr. Tooke. He did everything but take a home movie of the bribe-passing."

In return for "washing" the bribes for Steen, Tooke got valuable inside information from Steen's office on likely prospects for his tax-consultant services. Among the insiders in the racket, this process of steering a crooked tax consultant to potential clients is referred to as "bird dogging": The contact in the assessor's office searches out vulnerable business firms for the tax consultant, much like a bird dog indicating a hidden covey of quail. The favorite prospects were firms suspected of cheating on their tax returns by under-reporting their assets. A cooperative assessor would tip off a tax consultant, and then call in an official from the business firm and inform him that his return was under investigation and subject to an audit. The tax consultant would contact the firm, boast of his connections in the assessor's office, and contract to handle the firm's tax troubles for the customary 40 percent fee. In some instances, the assessor would warn the offending firm it was in trouble and *advise* it to employ the "wired-in" tax consultant.

Some assessors have been known to create tax trouble for an honest firm merely to furnish business for a cooperating—i.e., bribe paying—tax consultant. This is done by imposing penalty assessments for a technical violation of the complex rules, or suddenly raising a firm's assessment. The consultant then gets the penalty removed or the assessment lowered—for a substantial fee. This device is referred to as "sandbagging."

Tooke's files contained a series of detailed reports from one of Steen's deputies, giving him the names of businesses suspected of under-reporting their taxes, confidential details from their tax reports, and the name of the company official who handles tax matters. The report included such passages as:

"The values submitted to us [by a paper-making company] are ridiculously low so an audit is in the immediate future and when this happens they could be in real trouble. . . . This could be big. If you want to make a contact would you rather do it before or after an audit? Art will hold off for a time if you would rather see them first."

The deeper the investigators dug, the more they found. They began uncovering widespread tax evasion by companies where no tax consultants were involved. Many firms filed grossly inaccurate returns that listed only a fraction of their taxable assets. The practice relied upon the inability—or unwillingness—of the assessors to audit the annual flood of tax returns. So widespread was this under-reporting that Tooke, with his flair for the respectable word, referred to it as a "custom" and used it to justify his own falsifications.

In understating inventories on tax affidavits, Tooke declared, "we followed the same system that many, many companies follow. Where a county has a very poor program of assessing . . . or where they do not have an audit program, or the audit program is not an aggressive or efficient one—then it is normal procedure, not only in California but throughout the United States, to give figures in relation to what you believe other firms are doing. . . . We deliberately cut figures on affidavits where we knew this was the custom among other businesses and where we felt that this would not be picked up by the county."

According to Tooke, the "custom" was to report approximately one third of a firm's true inventory. The attorney general's task force and some outraged district attorneys made a series of random checks in widely scattered sections of the state. Among their findings:

- In one county with 10,000 business firms, an audit of 160 firms found that 123 falsified their returns to the extent of $4.5 million.
- A trained appraiser in one farm county reported that a single giant farming corporation evaded more than $4 million in taxes annually.
- An audit of a major airline found a $715,000 tax evasion in a three-year period.
- A check of a single department store uncovered $4,929,000 in unreported property.

In rural Butte County the grand jury employed a simple approach to test the fairness and efficiency of the assessor's office in taxing real estate, a test readily available to any grand jury, chamber of commerce or civic group. Selecting 500 recent sales of Butte County property, the grand jury checked the actual sales prices against the appraisals of the properties set by the assessor. The jury found that some property was assessed at more than 50 percent of its value and some as low as *six tenths of one percent.*

At the heart of the whole scandal is a question laden with political dynamite: What is the responsibility of the business firms for the corruption from which they profited? The question has not been officially answered because it has not been officially raised. None of the firms that hired Tooke and the other bribe passers has been charged with wrongdoing or complicity. Few executives have been interrogated in open inquiry.

Says Assistant Attorney General O'Brien: "We combed Tooke's files for evidence that the companies who hired him knew about his method of operation. There wasn't anything there that would hold up in court. From the viewpoint of common sense, some must have had an idea what Tooke was doing. Many corporations have their own tax departments and competent tax experts.

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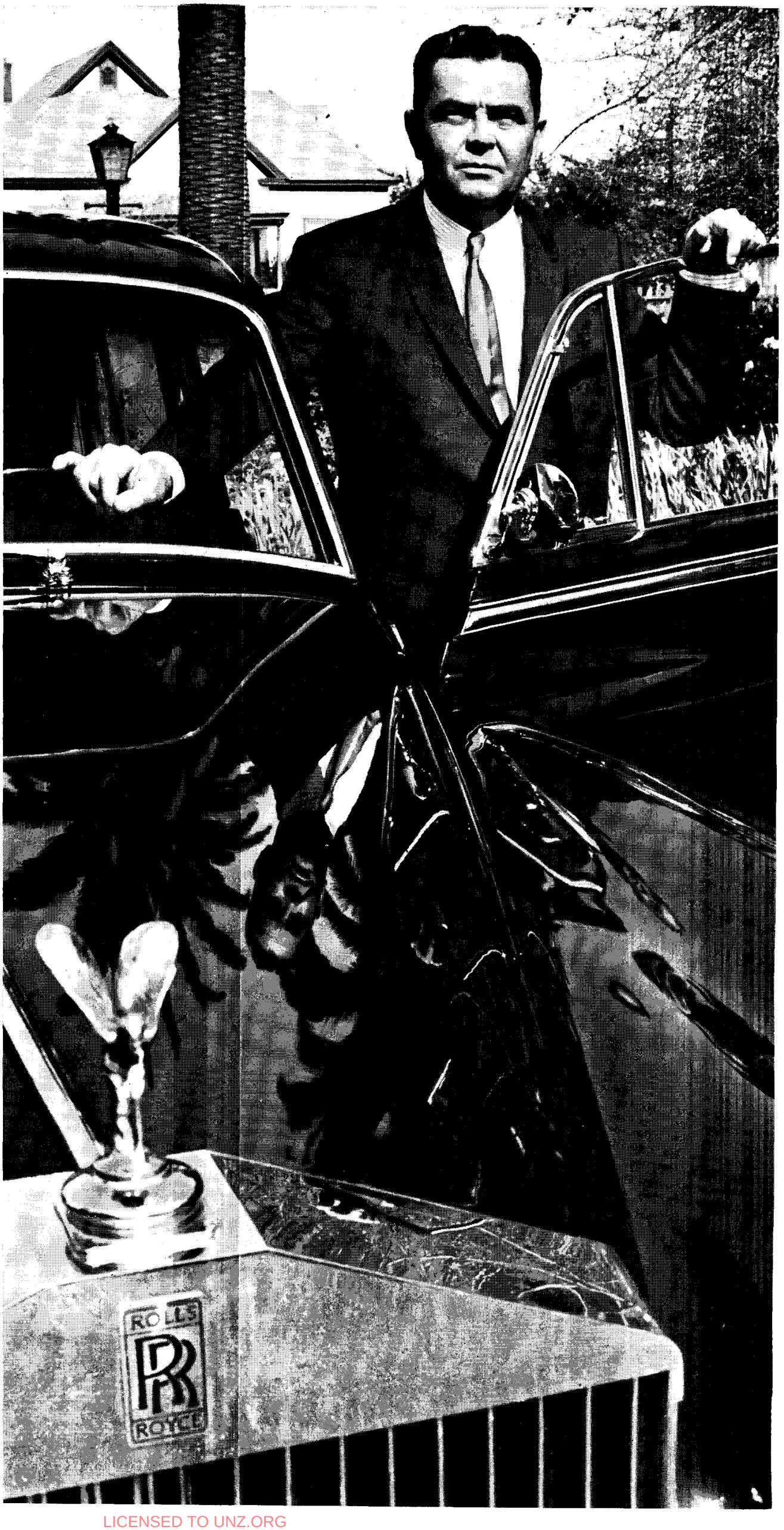

John Cox, a San Diego assessor, displays the Rolls-Royce he is charged with taking as a bribe. Cox's boss, when confronted with charges of corruption, committed suicide.

They don't need a little guy out in Castro Valley to make out an honest tax return."

Tooke himself made it plain that there was a sort of gentleman's agreement with the corporations to get on with the job at hand without any embarrassing discussion of the details. Says Tooke: "Clients were mainly interested in the results. Very few ever asked any question as to the manner in which tax reductions were achieved . . . and they certainly didn't press for any answers." For the few who insisted, Tooke had a standard answer: "I'm not in the business of *training* you, I'm in the business of representing you."

Will California-type tax scandals erupt in other states? By way of reply, authorities on taxation point out that the California tax code, as shabby as it is, is nevertheless better than most. "And so you can imagine," says one expert, "how bad the others are." It is estimated that sizable tax-assessment abuses occur in at least half the states. But the other states lack a Norman Phillips to vent their scandals.

The Internal Revenue Service refuses to say whether it is planning to move against the California tax evaders. But I.R.S. men have combed through Tooke's entire files, and they spent two-and-a-half weeks grilling Phillips.

In California there have been two sequels to the tax scandal. This year has seen a sudden rise in the number of taxpayers who did not pay their assessments when due; the common explanation is that the scandal outraged them and that they withheld their payments as a kind of protest.

And early this July the state legislature enacted what it wishfully termed an assessor-reform bill. Instead of streamlining the old jerry-built tax code, the lawmakers merely tried to plug some of its more gaping loopholes. The new law says the assessors must do what the state constitution has always said they must do—assess everyone on the same basis. The bill outlaws secret assessment ratios and orders all counties to adopt a standard 25 percent ratio by 1972. It adds another 38 pages to the overburdened old tax code, and leaves intact the business tax that spawned the $200 million scandal.

Hardly anyone defends the tax. Last year Assembly Speaker Jesse Unruh called for its abolishment, coupled with a complete overhaul of the tax system, but the proposal died in the rural-dominated Senate. When the tax scandal broke, Unruh observed with irony that "for the first time in California's history, the reform for a scandal had been proposed prior to disclosure of the scandal." Junking the business tax would strip $360 million in annual revenue from the counties and necessitate new taxes to replace it. In an election year most lawmakers would rather dive off Golden Gate Bridge than levy new taxes. So they vulcanized the old tax code, made speeches about writing a new one soon, and adjourned to the hustings.

What mild-mannered Norman Phillips thought of the legislative end-product of his midnight foray in Castro Valley could not be learned. Early this year, he flew off to Hawaii to look for a new job. Before he departed, he discussed an intriguing subject—why he went out at 3:30 A.M. and hauled away Tooke's files.

Phillips acknowledged that there were a variety of stories about his motives. He conceded, also, that there had been discreet "negotiations" with Tooke for the return of the files before they were turned over to the attorney general. But he insisted that the negotiations had taken place without his knowledge. "I took the files," he said, "because I thought it was time for a little reform."

If that was his motive, Norman Phillips accomplished what he set out to do. At the staggering cost of $200 million in lost taxes, a little reform is what the public got. □

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A DREAM AS BIG AS A MOUNTAIN

In the Black Hills, a huge and profane sculptor is blasting out a statue taller than the Washington Monument and longer than a dozen railroad cars.

By Harry Jones

The man: mountain sculptor Korczak Ziolkowski.

The big man with the beard was sitting on a 12-by-12 timber watching his sons build a bridge. He looked up when we approached, but for a while he didn't say a word. Later on, when he felt like it, he proved to be a pretty good talker. The man's name is Korczak Ziolkowski; he is a sculptor by profession, a jack-of-all-trades and master of most of them. A lot of people say that he is crazy.

Ziolkowski doesn't really give a damn for what a lot of people may say; he has a job to do and nothing else matters. Some men raise watermelons for a living. Ziolkowski works at a pile of granite, a 6,600-foot hulk named Thunderhead Mountain, and he is carving a statue.

On top of that mountain, in the southern Black Hills of South Dakota, he is shaping a monument of Crazy Horse, the great chief of the Sioux Indians. He drills and blasts, shovels and swears, and when he is done, if ever he is, he and Thunderhead Mountain will have a figure 563 feet high.

Mountain statuary is not unknown in the Black Hills, where Gutzon Borglum and his dynamiters carved the famous Mount Rushmore a quarter-century ago, but Korczak Ziolkowski's Memorial to the North American Indian is the most Herculean statuary project ever conceived in South Dakota or anywhere else. The statue will be taller than the Washington Monument and longer than a dozen railroad cars. By the time it is completed, late in the 1970's, the sculptor will have removed six million tons of stone from the mountain. He has been working on it since 1948.

The idea came from the Sioux Indians, who wanted a monument to their great leader. But Ziolkowski wants more than just a statue. He visualizes a North American Indian Center, which will include a museum, a medical facility and a liberal-arts university, all set in a park at the base of the great monument. This is "the dream," as he calls it, and it was to preserve the dream that he twice turned down offers of federal funds.

"They wanted to end it all with the monument," he says. "The hospital, the museum, the university—not interested. They simply wanted to make another huge attraction like the Grand Canyon or the Rushmore Memorial. The biggest tombstone in the world, that's what they wanted."

Korczak Ziolkowski is not much loved by his neighbors, and the feeling is mutual. "It was the same way with Gutzon Borglum over on Rushmore," he told me. "He gave the people of South Dakota a multimillion-dollar industry, and twenty-five years after he's dead, they still hate him."

"Why?"

"Why? Because he was arrogant and because he never paid his bills and most of all because he was an outsider who came and desecrated one of their goddam mountains. Now they don't hate him quite so much, because I'm here and I'm worse than he was. I'm a crazy Polack with a name they can't pronounce, and I'm twice as insolent as Borglum. Michelangelo himself couldn't come in here and please these people. But I don't care about any of them. If anyone says anything to me, I tell him, 'Look, you bastards didn't invite me to South Dakota. The Indians asked me, and that's more than they ever did for any of you.'"

His mood, always as unpredictable as the rain clouds over the ridges, softened. "Look at what I have here," he said. "Did you ever see a man so lucky? I have everything I need right here. Ranch, family—but a lot of men have that. Up on that mountain—that's the rest of my life."

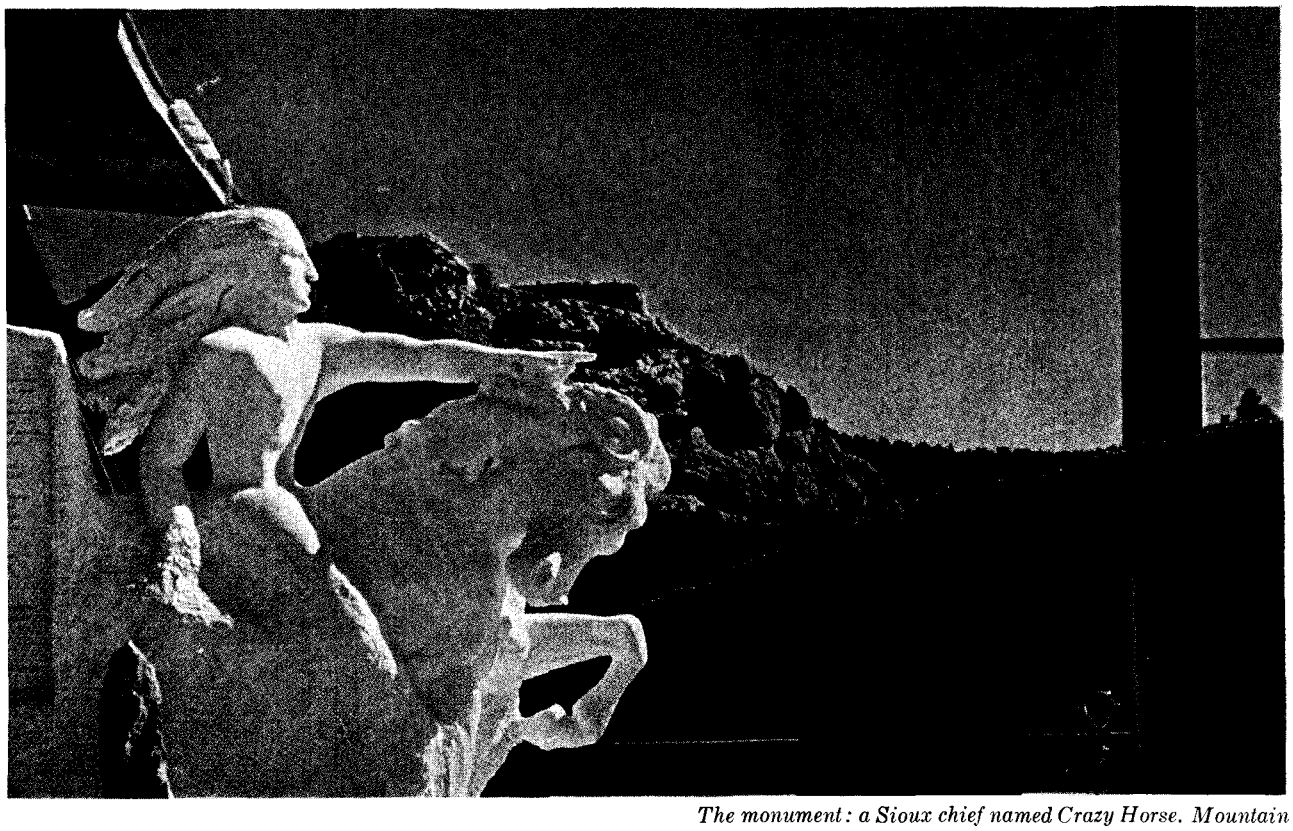
All around us the five Ziolkowski boys were scrambling to complete the bridge so that visitors might have easier access to the mountain. "I never dreamed I'd be in the tourist business," said the big man with the beard, "but it's got to be that way. It's cost me thirty-five thousand dollars for explosives alone since I've been here. Figure in drill steel and jackhammers and electricity, and it takes an awful lot just to keep going. On a really big day at the height of the tourist season we take in maybe seven hundred dollars. On a lot of days, nothing. We scratch for a living, and Crazy Horse gets what he needs first."

Suddenly he stood up. "You want to see the mountain," he said. "Well, it's not down here." He pointed to the rocky peak, where, with the aid of a little imagination, we could see the rough profile of the Sioux chief. "That's as good a place as anywhere to start out," he said.

There are two ways to reach the workings on top of Thunderhead. One, not at all recommended, is by jeep up a trail Ziolkowski scratched out with a bulldozer several winters ago. The other route, unbelievably worse, is up the rickety remains of a 700-foot wooden stairway to the tip of Crazy Horse's outstretched arm. We chose the stairs.

Luckily, we reached the top of the arm, which is almost as large as a football field. Here the sculptor has built a huge traveling scaffold mounted on rails so that it may be withdrawn when it is time to set off explosives. When he blasts, the stone shatters, the rough fragments fall away. Then he starts the bulldozer and nudges the blasted rock, some of it in 20-ton chunks, up to and over the precipice. As soon as the area has been cleared, the cycle begins again.

Now, even after 18 years, the blasting is rough



The monument: a Sioux chief named Crazy Horse. Mountain in background, with outstretched arm partly shaped, will look like model in foreground when colossal figure is finished.

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Photographs by Suzanne Szasz

and the main purpose is to get rid of masses of granite. "This isn't sculpture," says the big man. "It's mining. As we get closer to the final outlines, we'll do delicate precision blasting. I want to finish the nose this summer. The nose and the right eye and maybe some of the cheek."

I looked at the terrible bulk of the mountain and tried to imagine a nose and a right eye. "How much longer will it take to finish the whole figure?"

"Thirteen years," he shouted. "How many times do you have to be told?"

The sculptor of Thunderhead Mountain is tall and barrel-chested, with arms and shoulders hardened by years of pounding steel against stone. Once upon a time he owned a razor, but now his face is full of gray-brown beard and long hair flowing around and under his dusty felt hat. Somehow he reminds you of John Brown or an unkempt Hemingway, and as soon as he opens his mouth, he is Rabelais with a New England accent.

This man, whose hands can guide a jackhammer against granite or tousle a little girl's hair, is a fine sculptor. He was one of Borglum's assistants on Rushmore; before that, he was a recognized artist whose marble head of Paderewski was named the outstanding sculptural exhibit at the New York World's Fair in 1939. Already skilled with knives and chisels, he learned at Rushmore that air hammers and dynamite can also be an artist's tools.

Born in Boston in 1908, he was orphaned at three and adopted by an Irish prizefighter and contractor. "I was a slave," says Ziolkowski. "He kicked me around like a dog. When I was sixteen, I was six feet tall and weighed one-ninety, and I thought I could take him. I tried, but I just couldn't. When I couldn't stand up any longer, he told me to get the hell out of his house. I was so happy it was like opening prison gates for a convict. Then came seven years on the waterfront as a laborer, a carpenter, a patternmaker, doing a lot of wood carving, and I was pretty good—figureheads and wooden eagles and that. The people liked my work. Judge Frederick Cabot, God rest him, gave me a hand when I needed it."

At 18 he got his first stone—"a lousy piece of marble"—and from it carved a head of Judge Cabot. "I was destined to work with steel and stone," he says. "My foster father, whatever else he did, taught me the use of tools. He made me cut steel I beams with a hacksaw, and God help me if I broke a blade. From him I learned how to do a job with exactness. I've never had a lesson in art or engineering, but I've had good teachers.

"Sometimes it seems that I have lived with Crazy Horse all my life," muses the bearded man, "but it really started in 1939 when I came to the Black Hills as an assistant sculptor. That's where I met Chief Standing Bear of the Pine Ridge Sioux, and we used to talk about how appropriate it would be to have a monument to an Indian leader. I mean, there we were, carving a white man's memorial to white men. Well, he often said that he would like it known that the red man also had his heroes. We came to believe in the idea. To the chief, the statue was to be a source of pride, a recognition of his heritage and a token atonement by white men for the wrongs done to his people. That's how the Indians have always thought of the monument, and it's an entirely logical and proper attitude. By 1948, when I had managed to buy the land and begin blasting, I realized that the memorial should be something more than the world's tallest Indian."

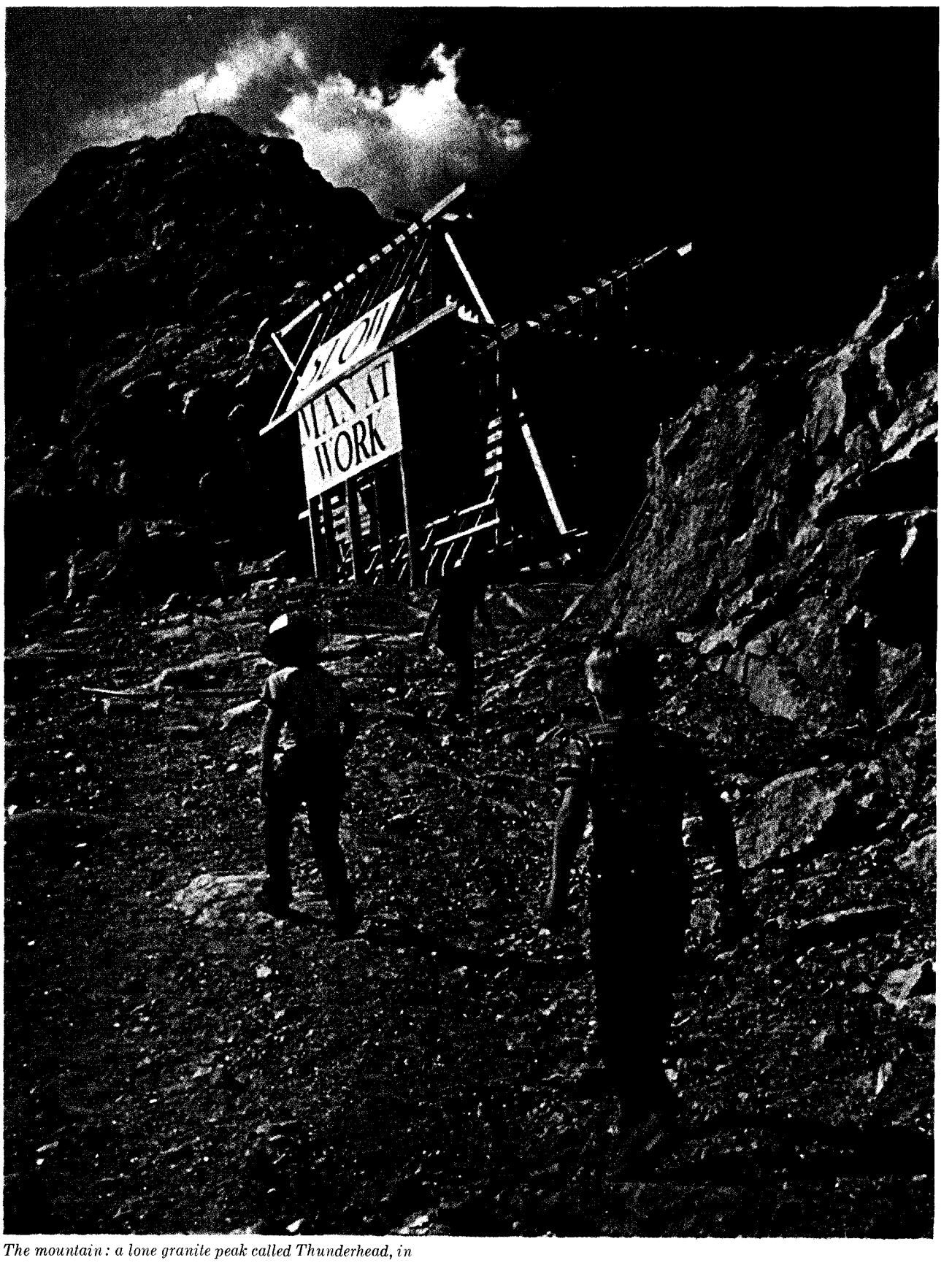
Mountain carving is different from carving a marble bust in the backyard. For one thing, it is much more hazardous. "You never look up," claims Ziolkowski. "If you do, you see slabs of loose rock ready to come down on you, and you never get any work done from worrying about it." His voice begins to rise in excitement. "Forget it," he shouts. "Don't worry about it—you're immortal while you're on the mountain."

I asked him what would happen to Crazy Horse if he should be disabled. "I've thought about that," he replied, "and it could happen. I've got an eighteen-year-old son who wants nothing but to work with me on the mountain. That's good. He's had experience with me already. And I've got four more boys coming along.

"You know, this is a working family," he said, "and it has to be that way. It's a large family, too, and well-planned. Five boys, five girls. Boy-girl-boy-girl-boy-girl-boy-boy-girl-girl. I got the pattern all wrong with those last four, but hell, I was getting pretty tired by then."

Sometimes in the night Ziolkowski awakens to realize that he is only a man caught in a fantastic dream. He trembles, but this is humility, and Ziolkowski is not basically a humble man. The feeling passes; the problems of the day blot out the doubts of the night. It is time to get to work.

"I could have done a lot of things easier than this," he says. "I could have spent forever making little white marble busts, but all my life I wanted to do something with meaning, something big. Tell me, where can a sculptor find anything bigger than Crazy Horse?" □



The mountain: a lone granite peak called Thunderhead, in South Dakota. Some of Ziolkowski's boys climb a rugged trail toward the huge traveling scaffold on which he works.

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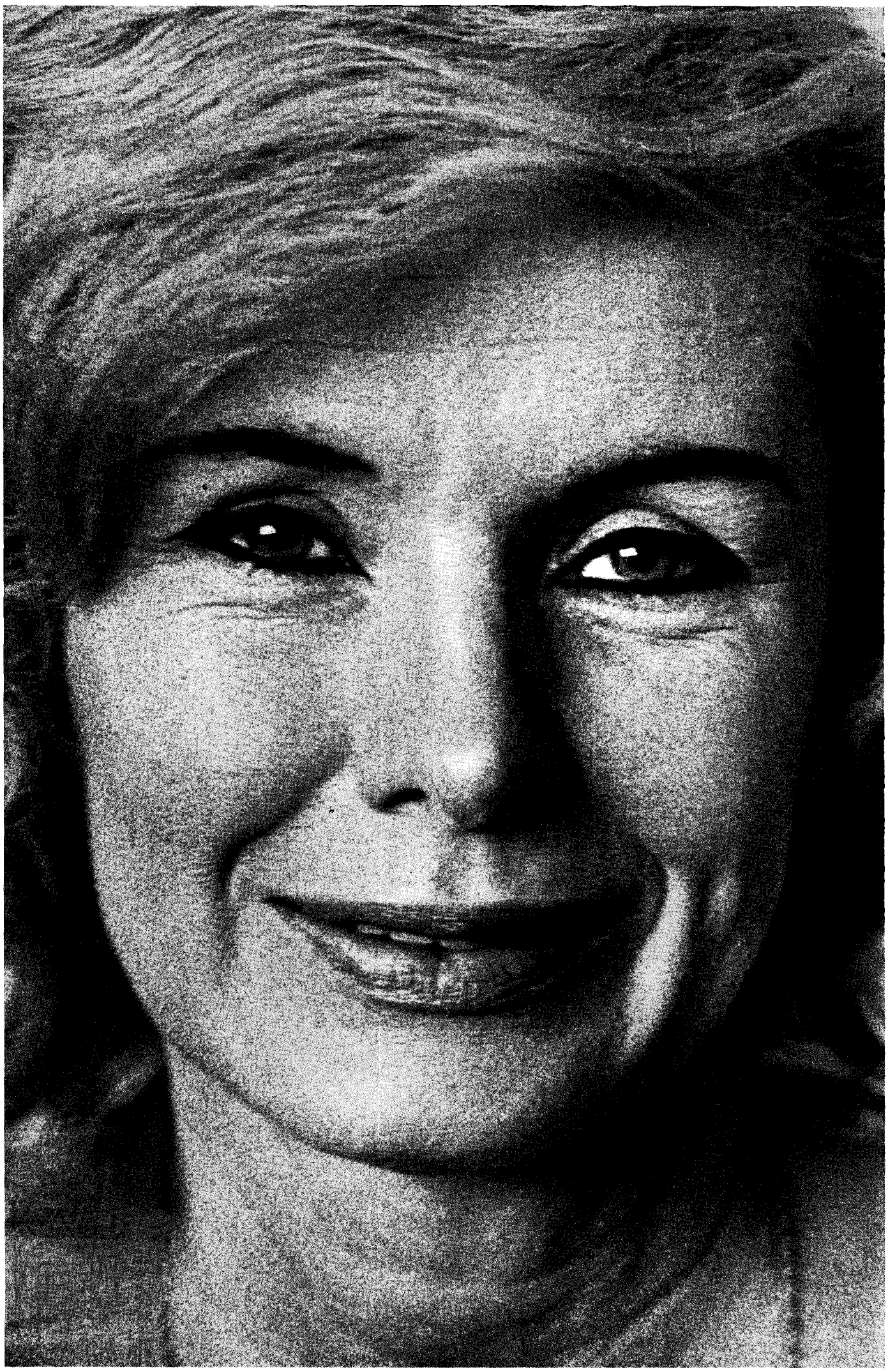

THE TRIALS OF CANDY AND MEL

By LEWIS H. LAPHAM

It was a difficult time for a helpless widow, but, as Candy Mossler put it, 'love heals all.'

Conclusion

By the second week in February the Mossler murder trial in Miami already possessed the burlesque elements of a work of pop art. The testimony had become so lurid and the characterizations of the defendants so exaggerated that the proceeding seemed to resemble a brightly colored comic strip solemnly displayed in a museum. The trial had opened on January 17. That same day the United States Air Force lost a hydrogen bomb off the coast of Spain, an event to which the local newspapers gave second billing. During the intervening three weeks, the public mania for news of the trial had become even more extreme. On cold days, instead of going to the track, the spenders from Miami Beach would

Photographs by Lynn Pelham

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drop around to the Dade County Courthouse to listen to the testimony. The crowds began to gather outside the courtroom as early as 5 A.M.; a number of people regularly showed up wanting to know where they could buy tickets. When a movie company arrived in town with hopes of making a film, the mayor of Metropolitan Miami agreed to play the role of the trial judge.

The defendants, Mrs. Candace Mossler and Melvin Lane Powers, her nephew, stood accused of murdering her husband so that they might live happily ever after on his money. The husband, a banker named Jacques Mossler, had been stabbed 39 times through the heart and left lung sometime after midnight on June 30, 1964. He was 69 years old and reportedly worth between $7 million and $33 million. His widow was 46 and Powers, her sister's son, was 24. Neither of them ever testified. When she talked with reporters, which she did frequently, Mrs. Mossler spoke only in smooth clichés. Powers, on the advice of his counsel, never said anything to anybody.

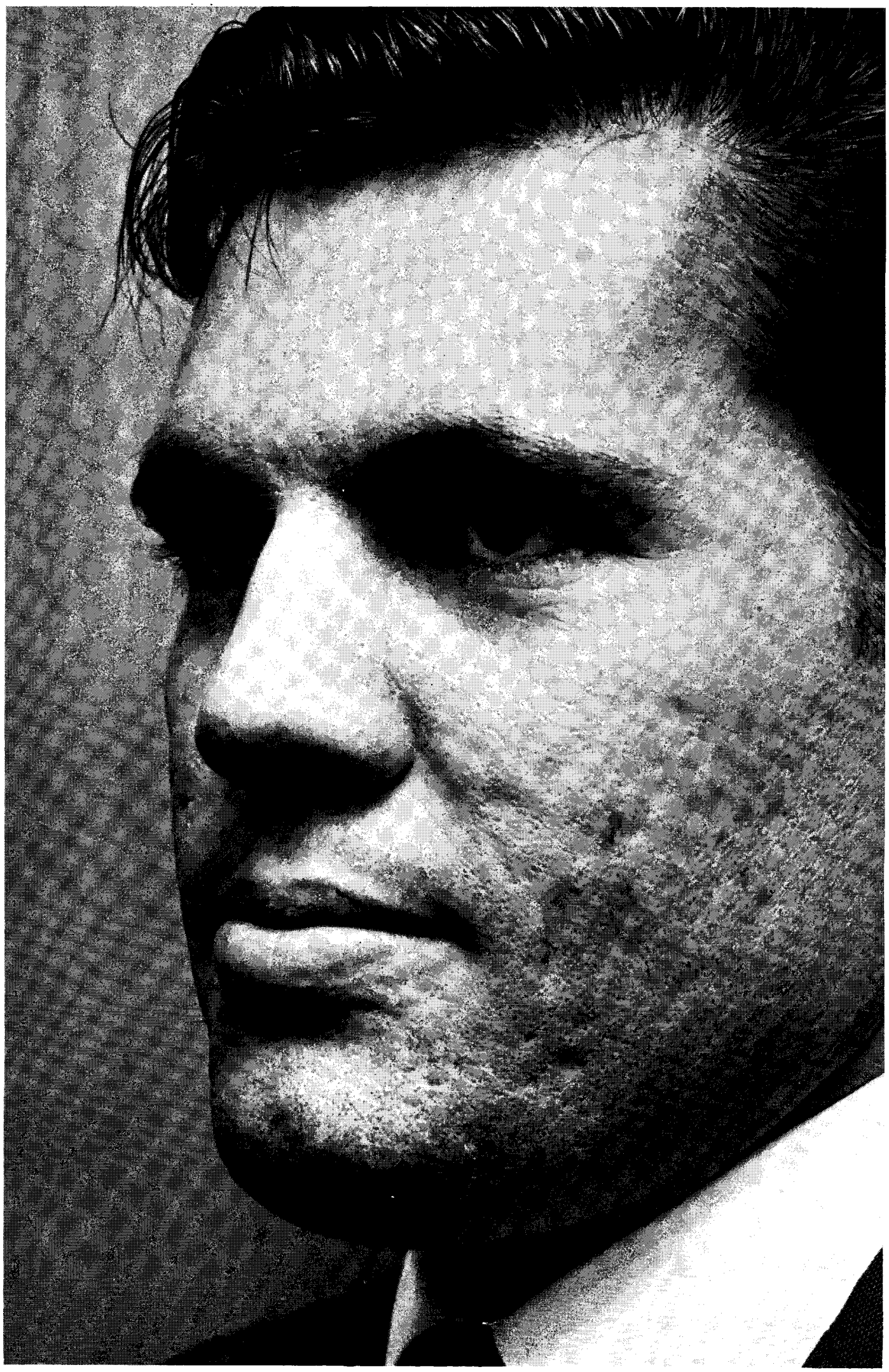
The testimony that the state of Florida began to present on February 8 dealt with the incestuous love affair between Powers and his aunt. This was the only aspect of its case that the prosecution could prove beyond a reasonable doubt; it was also the part that attracted the biggest crowds.

Perhaps there was a grace in it; maybe also compassion and hope. Perceived, however, through the dreary recollections of bellhops and motel managers, the romance seemed pathetic and banal. The lyrics could have been set to country-and-western music played on electric guitars.

They drove around a lot together in her Lincoln Continental or his Thunderbird, listening to jazz on the stereo, parking in back alleys. Sometimes they abandoned the cars in distant towns and sent Roscoe Brown, the Mosslers' handyman, to pick them up. They traveled to Acapulco and Sun Valley, posing for photographs at nightclub tables. She bought him suits with labels in the lining that said, ESPECIALLY CRAFTED FOR MELVIN LANE POWERS.

It was never clear how or when they met. He was the son of one of her younger sisters, born in 1942 in Alabama and expelled from school in the eighth grade. He served briefly with the Air Force in Arizona, and in 1961, convicted of swindling in Romeo, Mich., he spent 90 days in jail. The swindle involved his collecting money for a fraudulent charity. Sometime in late 1961 or early 1962 he appeared as a resident of the Mossler household in Houston. Soon afterward, presumably on his aunt's advice, he entered St. Luke's Episcopal Hospital for four minor operations. Within the space of three days he was circumcised, had his face sanded, his tonsils removed and his ears, which had protruded, folded flat against the sides of his head.

By late spring, 1962, he had begun to brag about his affair with his aunt. She had arranged for him to work in one of her husband's companies. Edward Bart



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When arrested and shown the evidence against him, Powers is reported to have said:

At one stage of trial Candy collapsed, then reappeared wearing a neck brace; later, sensing better days ahead, her sunny disposition returned.

TRIALS OF CANDY AND MEL

Diehl, a petty thief and a habitual drunk, remembered Mel boasting about "what a very good thing he had going there" with Candace. Employed briefly as the caretaker of the Mosslers' ranch near Galveston, Diehl and his wife lived in a trailer on the property. The Mosslers lived in a larger trailer a few hundred yards away.

Diehl took the witness stand wearing a clean white shirt and a blue cardigan sweater, but he had a shaky look about him, like a man who has just spent an hour shaving in an effort to present a sober appearance. Mel and Candace often came down to the ranch on weekends, he said, and once, while working with Mel on a fence, Mel told him he got all the clothes, cars and money he wanted, and that all he had to do for them was to make love to Candace a couple of times a week.

Mossler threw Mel out of the house in the spring of 1963. Mel left reluctantly, only after being confronted with two deputies and a court order. He said to Mossler: "I'll be back. You'll regret this the longest day that you live." The deputies remembered Mossler looking very pale and frightened; two weeks later he went to Europe for the summer.

Candace meanwhile set Mel up as the owner of a trailer-sales lot in Webster, Tex. Mel posted photographs of her on the bulletin board in his office, and to anybody who asked, he explained that she was his fiancée, a girl from a well-to-do family, and that they were very much in love. Sometimes he referred to her as Mrs. Mossler, a divorcée; sometimes as Miss Johnson, Johnson having been the name of Candace's first husband. He liked to drive the Mosslers' adopted son Eddie around the trailer lot in a golf cart; occasionally he introduced Eddie to people as his son.

Late in October, 1963, Mel rented an apartment on the other side of Houston, explaining to the manager that his fiancée was going through the last stages of a divorce and that therefore he wanted a secluded apartment in the rear. The manager remembered the two of them kissing in a parked car. The manager also recalled that Candace helped Mel to move in. That same month, remaining in Houston for only a few days on his return from Europe, Mossler moved permanently to Miami.

Early in the winter of the following year Mel came back from an absence of several days and told the apartment-house manager that he and Candace had secretly gotten married in California. The manager said he thought she was a little old for him, but Mel said when you're in love, age doesn't make any difference. At about the same time a man in Mel's office heard him crying on the telephone and saying, "Candace, you know I love you; please don't fuss at me."

The trailer-sales business had fallen on bad times. Mel had borrowed $8,000 from Candace, promising to pay her back within 60 days. They were afraid to borrow money from a bank for fear of Mossler's finding out. To a casual acquaintance Mel explained that he needed $1,600 a month to support Candace and "put Mr. M. out of the picture." In February a man named Gene Owens, employed by the Mossler enterprises since 1951, was sent over to manage the trailer lot. Mel confided in Owens, telling him about his sexual encounters with Candace, also of his hope of eventually marrying her. Once he told Owens that she was pregnant by him.

PROSECUTOR ARTHUR HUTTOE: What did you say?

OWENS: I asked him what his position was on that. He said he was happy about it. He wanted to have the baby. I asked him how Mr. Mossler would feel, and he said the old s.o.b. would pop his chest to be a father.

Mel also told him that Candace had agreed to marry him if he could finance and build a 14-story office building. She had promised to divorce Mossler when the ground floor had been completed. In April, 1964, Owens accompanied Mel to a mobile-home show in Dallas. Candace was there with her husband, Mossler having come from Miami for a dinner in his honor given by the employees of his several companies, a dinner to which Owens and Mel were not asked. Late in the evening, after the dinner, Mel, in Owens's presence, telephoned Candace's room. Mossler answered the phone and refused to let Mel speak to his wife. Mel called him an s.o.b. and threatened to "come down there right away" if Mossler didn't comply. Mossler let him speak to Candace.

The next day, wandering with Owens through the mobile-home show, Mel came upon Mossler sitting in an empty trailer. He said: "Hello, Mr. M." Mossler merely stared at him.

Early in June, together with Rita (Candace's daughter by her first marriage) and Rita's fiancé, Gary Wilder, Candace went to Nassau for the weekend. They arrived on Friday night at the Emerald Beach Hotel. Mel appeared on Saturday, checking into the adjacent Nassau Beach Hotel. Several bellhops saw the two of them together; somebody else rented them a car.

On June 23 they were both in Miami, Candace staying with her husband in the apartment he had recently rented on Key Biscayne, Mel at the airport hotel. At about 6:15 on the morning of the 24th, Mel took Candace to the emergency room of the Jackson Memorial Hospital. Complaining of a migraine headache, she introduced Mel to the nurse as her husband; the nurse remembered his being very attentive to her, addressing her as "Honey." Mel returned to Houston later that same morning. He reappeared, of course, on the evening of June 29.

When the police arrested him, at his trailer-sales lot on the evening of July 3, they confiscated his attaché case. Inside it they found, together with a tube of makeup and a bottle of hair dye, letters signed: "Love, Candace."

The letters were not, however, admitted as evidence at the trial. They were among several documents suppressed by Judge Schulz, on various legal grounds, at a preliminary hearing. Another suppressed document was the admission Powers made to a Miami police sergeant several hours after his arrest. The sergeant, Charles Maddox, testified to the substance of that admission at the habeas-corpus hearing held in Miami on August 6, 1965.

Informed of his rights concerning an attorney, Maddox said, Powers refused to demand one, explaining that at the proper time "they would call somebody, and probably it would be Percy Foreman." At first Powers told the police he had been in Miami only once in his life, certainly not on June 29 or 30. That night, he said, he had gone to a movie in Houston, but he couldn't remember the name of the movie or the theater at which it was playing. At 3:35 A.M. on July 4, Maddox confronted him with the statements of people who had seen him in Miami on the days in question. Whereupon, according to Maddox's testimony, Powers said:

"'You have it all right there. You don't need any more. What do you want me to do? Implicate somebody else? I know my fingerprints are all over that goddamn car, and all over Mr. M.'s apartment, and I know that those people saw me at the airport and at the hospital and those neighbors. You have got me, but I'm not going to tell you about anything else . . . anybody else, not here in Texas, nor when you get me back to good old Dade. I'm not going to say any more to you.'"

Mrs. Mossler had, in fact, already reached Foreman, at about 11 P.M. on the 3rd, two or three hours after her return from her husband's burial at Arlington. Foreman immediately called the newspapers and television stations. Surrounded by photographers at the Harris County Jail in Houston, he demanded to see his client. The police, however, were holding Powers at a Texas Ranger station on the outskirts of the city. Unable to find him before 10 o'clock the following morning, Foreman issued pronouncements suggesting brutal police interrogations. Later that same day Mrs. Mossler sent him six diamond rings and brooches as collateral for his promised fee.

She then retired for several days to a Houston hospital room, and there, wearing a pink nightgown, she convened a press conference on July 8. "Why, it's all just nonsense about Mel," she told the assembled reporters. "If an atomic bomb were to fall, Mel would be the first one in to drag Jacques and the children from the wreckage."

For most of the next 11 months, while Mel remained in the Houston jail, Candace stayed in seclusion at the Mayo Clinic in Rochester, Minn., talking on the telephone to possible wit-

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'You have it all right there. What do you want me to do? Implicate somebody else?'

nesses and ordering flowers placed every other Sunday on her husband's grave. Continuing investigations meanwhile convinced the authorities of her complicity in the crime, and in July, 1965, a Miami grand jury returned indictments for first-degree murder against her as well as against Powers.

From the Houston jail Mel wrote her at least one letter intercepted by the police. Almost entirely unpunctuated, marred by frequent misspellings, the letter (also ruled inadmissible into evidence) sprawled over nine long sheets of paper. Writing in the style of a lovesick adolescent to an older woman, Mel talked about staring for long hours at her photograph and about how he hoped she wasn't being unfaithful to him. A characteristic sequence read:

"Being away and torn apart from you darling is the worst most horrible thing plus that ever happen to me in my whole life. To say I miss you is minus nothing compared to the empty, longing acheing obsessionly must have feeling I have twenty fours a day for to be with you my baby my life."

At the end of the afternoon of Thursday, February 10, Mrs. Mossler left the courtroom without her customary smiles and little waves to the spectators. The next day she failed to appear in court, and a doctor testified that she was suffering with headaches, nausea and chest pain—a condition known as a hyperventilation syndrome, which he compared to the nervous tension common among men with ulcers.

Over the weekend Mrs. Mossler stayed in a hospital, but on Monday, St. Valentine's Day, she looked as pale and weak as she had on Friday. The reporters besieged her as she walked off the elevator, asking if she had received a valentine from Mel or from anybody else. Ordinarily this would have been the kind of question best suited to Mrs. Mossler's gift for sentiment, but on Monday she felt too sick to answer in the proper spirit.

The first witness that morning was a gaunt, nervous man named Arthur Grimsley, who, even on the first of his four appearances, failed to inspire confidence or belief. He had been imported from an Arkansas jail to testify, and he entered the courtroom tentatively, as if suspicious of hidden microphones. Forty-four years old, he had a scar over his left eye and a high forehead marked by lines of lifelong anxiety. His manner suggested an unhappy confidence man who, to his sorrow, keeps finding out about newer and more complicated deceptions. His testimony concerned several conversations with Powers on the 15th, 16th and 17th of June, 1962. About the exact dates he was absolutely certain.

On direct examination Huttoe asked him about a proposition involving the disposal of a man referred to only as "the old mooch." The conversations all took place while Powers and Grimsley were driving in a car between Trumann and Fort Smith, Ark. Although Powers never positively identified "the old mooch," he told Grimsley that he was the husband of a relative (presumably Mrs. Mossler) with whom Powers was then living in Houston.

Powers, Grimsley said, explained that he and the relatives "dug each other," that she often came to his bedroom at night and that she had plenty of money. First Powers proposed that Grimsley should kidnap the old mooch. He later suggested that he and the relative didn't want the old mooch back, and maybe it would be better if the old mooch got killed.

Grimsley said it would cost a lot of money. Powers named a price equivalent to the cost of two luxury convertibles. Grimsley agreed to the deal, and they stopped at a phone where Grimsley overheard Powers call somebody in Houston whom he addressed as "honey, or doll, or something like that." He heard Powers tell this person that Grimsley would do the job. Several weeks later Grimsley was arrested in New Orleans and therefore had to cancel the contract.

That was the substance of his testimony. In closing, perhaps hoping to counteract the obvious shiftiness of Grimsley's appearance, Huttoe asked a question that proved unfortunate.

Q: You are in the State Penitentiary in Arkansas now?

A: Yes.

Q: Are you a minister now?

Q: (*By Mr. Foreman, interrupting in a loud, incredulous voice*) Are you a what?

Q: (*By Mr. Huttoe*) Explain this to the jury please.

A: On April 26, 1964, I accepted Christ as my personal savior, and I have been accepting the Bible since then.

Q: (*By Mr. Foreman*) Your honor, this is immaterial, irrelevant and self-serving, and we ask the Court to instruct the jury not to consider this.

The judge overruled Foreman's objection, allowing Grimsley to explain that "after 100 hours of continuous writing" he had completed approximately 70 Bible courses and had received a certificate to preach from a mail-order theological seminary in Kent, Ohio. His voice dropped softly toward a tone of pious humility.

Standing to his full height, his hands folded complacently across his paunch, Foreman benignly contemplated Grimsley's nervousness for perhaps two minutes before asking his first question. Ordained a deacon in a Baptist congregation, Foreman assumed the *persona* of a preacher weighing the dross of man's sin. He spoke with deliberate slowness, somberly considering the heaviness of his words.

"You say, sir," he began, "that you are now a student of the Holy Writ?"

A: Sir, I don't understand this.

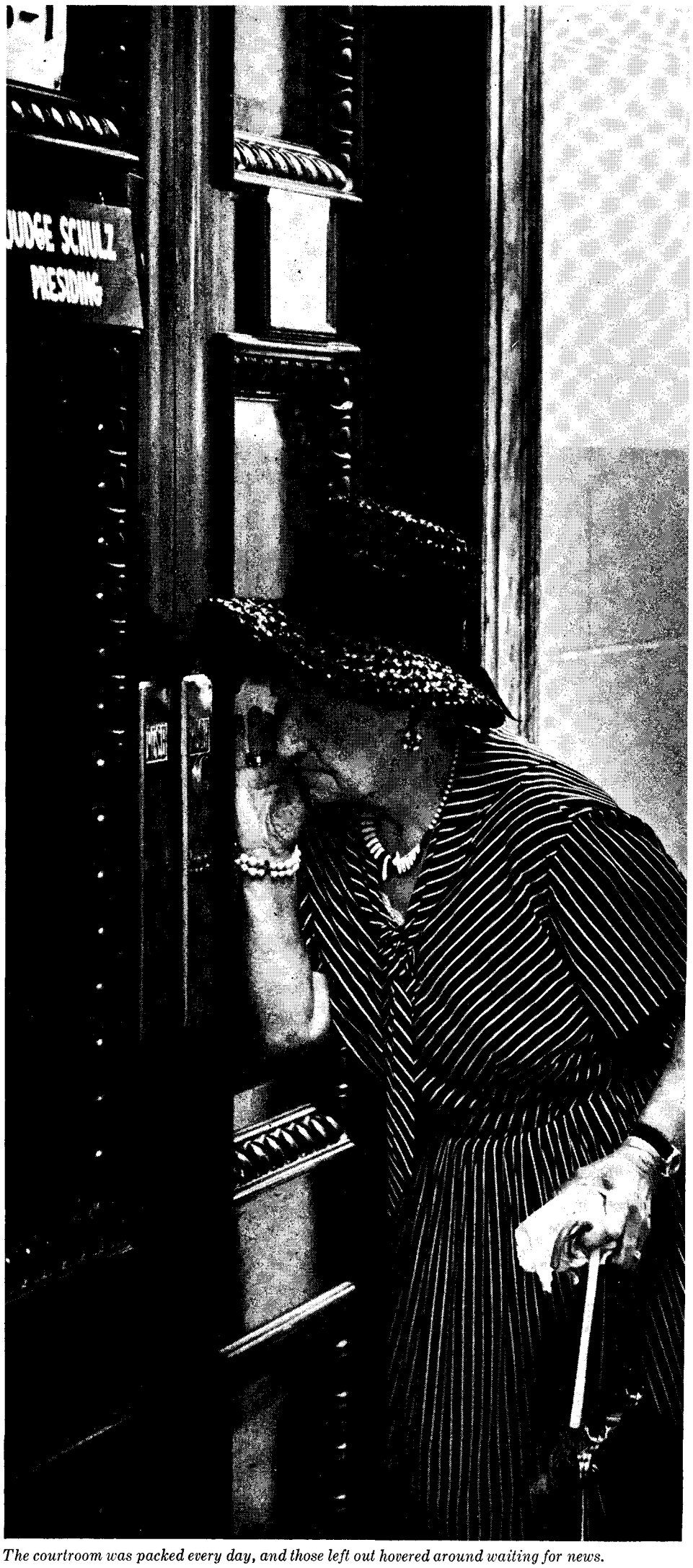
Q: You are a student of the Bible?

A: Yes, sir.

Q: Have you studied in there about a character named Ananias?

A: I certainly have.

Q: Have you or have you not mod-



The courtroom was packed every day, and those left out hovered around waiting for news.

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eled your ministry on the example of this individual?

A: No, sir, I have not.

Q: Who was Ananias?

A: Sir, I will preach you a sermon if you would like to hear one.

Q: Preach it on Ananias.

JUDGE SCHULZ: Just answer the question. We do not want a sermon.

Q: Tell the jury who was Ananias.

A: At this time, sir, I couldn't tell you.

Q: He was the biggest liar in all antiquity. Does that help you?

The desperate objections from Huttoe and State Attorney Richard Gerstein, both shouting at once, ended with the judge's striking the last question from the record. Smiling benevolently, Foreman proceeded to a discussion of Grimsley's criminal history, establishing that he had been arrested on at least 50 occasions, and that he had been convicted of crimes in Louisiana, Missouri, New York, Arkansas, Oregon and Oklahoma. He had just begun to recite the catalogue of Grimsley's sins, when, suddenly, he was stopped by loud gasps of surprise from the first two rows of spectators.

Mrs. Mossler, her right hand covering her mouth, was walking unsteadily toward the door at the end of the room. Clyde Woody and Marian Rosen, two of her lawyers, hurriedly followed her into the antechamber on Judge Schulz's right. The judge declared a recess.

Lying stretched out on the floor of the antechamber, Mrs. Mossler complained of violent nausea. The bailiffs brought ice cubes; a nurse administered a shot. Powers, leaning anxiously over her, spoke to her for the first time in public since the trial began.

"Honey," he said, "do you want something to eat?"

Twenty minutes later, assured by the nurse that Mrs. Mossler could not continue, the judge adjourned the court until the next morning. Crying and leaning on the arms of her attorneys, she left the courtroom through a mob of photographers gathered in the corridor. Powers walked ahead of her, helping to nudge people out of the way.

On Tuesday she appeared in court wearing dark glasses and a surgical brace on her neck. It was her worst day of the trial. Through both the morning and the afternoon she sat slumped far down on her spine, her white coat drawn around her shoulders, her eyes closed, her hands straying absently to her temples.

Foreman resumed where he had left off with Grimsley, his irony gradually becoming more exaggerated. He first wanted to make sure that he correctly understood Grimsley's title.

Q: Reverend Grimsley? . . . Is that the proper mark of respect?

A: No, sir.

Q: Isn't that the proper mark of respect to pay a member of the cloth?

A: No sir, not to me it isn't.

Q: Did you not say you were ordained to preach?

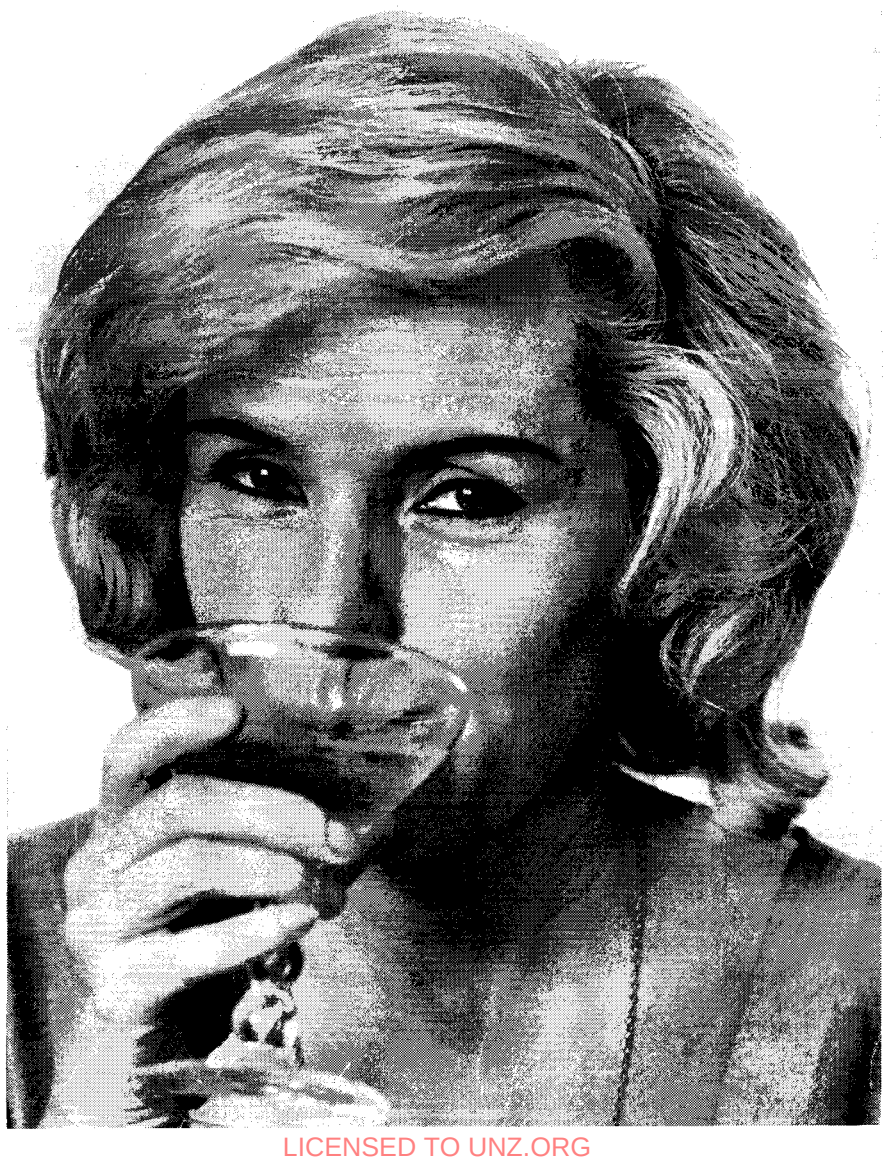
A: Yes.

Q: But your modesty impels you to decline the term Reverend?

Foreman and defendants after "not guilty" verdict; as Candy left, she blew kisses to crowd.

When the verdict was read, Powers whispered, 'Beautiful,' Candy started crying and some of the spectators burst into cheering and applause.

At post-trial party she sipped champagne, signed autographs, chatted about art and children.



A: Sir, the word Reverend is mentioned one time in the entire Bible, and it's only a title of respect. I do not deserve any kind of respect.

Q: You are the cheapest of sinners?

Judge Schulz sustained the objections to the question, admonishing Foreman to conform to the rules of procedure. Although acknowledging the advice with a courtly bow, Foreman ignored it, continuing to use the rules of procedure as freely as a sculptor might use modeling clay, as if they were nothing more than the materials necessary to his own self-expression.

Q: Isn't it true that the Holy Writ is merely a means to spring you from jail?

A: You don't get out of the pen with the Bible, Mr. Foreman. That would be making a mockery of God, something that I would not be guilty of.

Q: Would you tell us what you are guilty of?

The objections were again sustained, this time with an edge of annoyance in the judge's voice, and Foreman shifted to other ground. Hoping to insinuate that Grimsley had traded his testimony for a chance to escape prison, no matter how briefly, Foreman asked a series of questions about the daily routine at the Arkansas penitentiary. He first established that if Grimsley were in Arkansas in February, he would be working in the fields, digging rice ditches.

Q: Would you not rather be here in Dade County in February than out digging ditches in Arkansas?

A: No, I had not.

Q: You would rather be there?

A: I would rather be there, that's right.

Q: For a person accustomed to ranging freely over the United States, it is sort of confining to be locked up and work twelve hours a day, six days a week, is it not, Mr. Grimsley?

A: Mr. Foreman, I always think of this before I commit a crime.

Q: You also, after you get to prison, figure ways to vary the monotony by taking trips, do you not?

A: I do not.

The rest of the cross-examination involved repetitions of the dates of the 15th, 16th and 17th of June, 1962, the days on which Grimsley supposedly listened to propositions from Powers. He allowed himself a kind of smug bravado in the discussion of the dates, unshakably confident of his information because on the day before (June 14, 1962) he had gone to Booneville, Ark., to take his father-in-law home from a tuberculosis sanitarium.

Q: The 16th or 17th of June?

A: That's right.

Q: You're positive of that?

A: Yes.

Q: You could not be wrong?

A: No, sir.

Foreman asked variations of the same questions at least 20 times. Thinking he at last had triumphed over the famous Percy Foreman, Grimsley smiled

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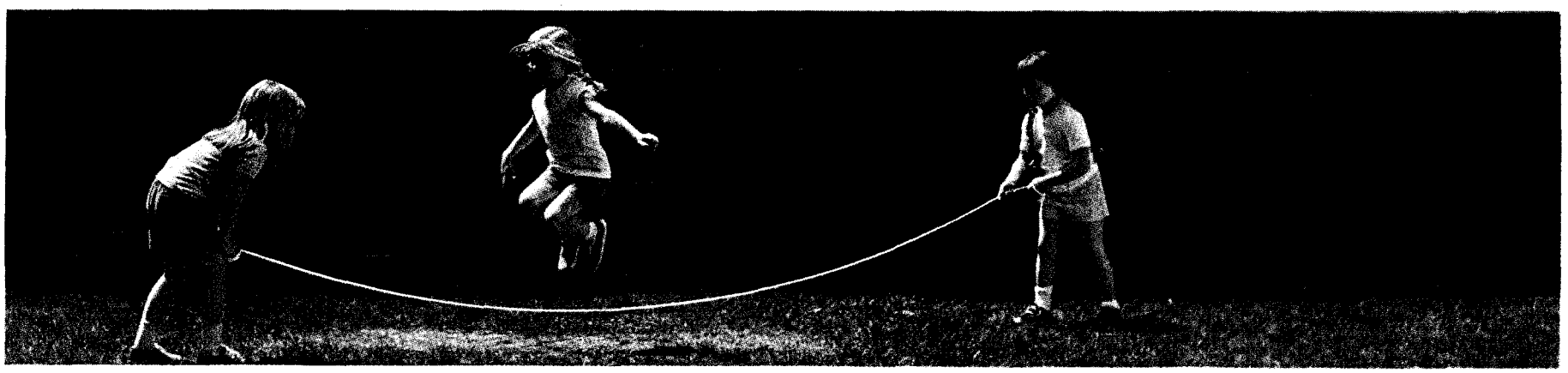

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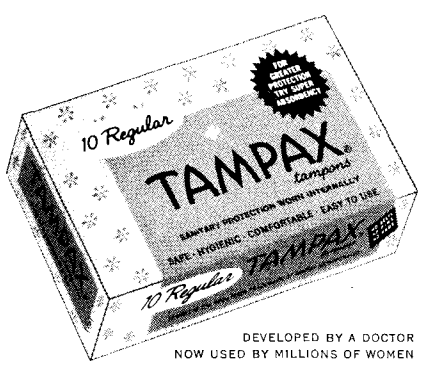

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pityingly, as if to imply that even great lawyers must sometimes err. He left the witness stand with his shoulders squared and his self-confidence restored, a righteous man who had suffered much at the hands of his enemies. Alas, poor Grimsley, he kept making those definite statements.

The following morning, Wednesday, Mrs. Mossler came to court obviously much revived. She had discarded the surgical brace; she waved affectionately at the crowd and paused to kiss a bailiff on the cheek. Among the more cynical reporters, who had learned to correlate Mrs. Mossler's physical appearance with the shifting fortunes of her defense, there were rumors of an approaching catastrophe for the prosecution's case.

The blow fell just before the noon recess. The jury had been temporarily excused; Foreman requested permission to make what, from the deceptively innocent tone of his voice, seemed no more than a routine motion. He rose ponderously to his feet, his hands cluttered with legal pads and special-delivery envelopes. His voice rising in a gradual crescendo, he stalked, glowering, around the clerk's desk, the theatrical indignation of his manner resembling that of an honest citizen upon whom has been perpetrated a low, dishonest fraud.

Even now, at this very moment, he said, the state of Florida had in its possession undisputable proof that Grimsley had testified falsely. The proof, he said, waving the papers and envelopes in the air, was contained in the records of St. Luke's Episcopal Hospital in Houston, showing that on the 15th, 16th and 17th of June, 1962, Powers had undergone four operations. (The circumcision, and the work on his tonsils, face and ears.) Powers therefore could not have been driving in a car in Arkansas.

Foreman accused the state of suppressing evidence and condoning perjured testimony. He suspected corruption; he demanded a mistrial; he called upon the prosecution to admit or deny.

In the heavy silence that followed Foreman's accusations, even the reporters accustomed to his braggadocio took thorough notes, thinking that this time he might really have something solid. The spectators winked and nodded to one another. Judge Schulz looked questioningly toward Gerstein.

Much embarrassed, assuming as reasonable a tone of voice as possible, Gerstein explained that, yes, Grimsley had made a mistake. Only that morning he had sent word from jail, asking to correct his previous testimony. No evidence had been suppressed, however, he said, and nobody had lied.

Grimsley duly appeared later that same afternoon, shifty and smiling apologetically. Huttoe questioned him in the patient, weary voice of a father coaxing a difficult child.

Q: Is there something you have to tell me?

A: Yes.

Q: Is there something in your testimony you would like to change?

A: Yes sir, there is.

Grimsley explained that after he had left the courtroom he got to thinking over his testimony, and it occurred to him that maybe he had been wrong about those dates. That was a long time ago, he said, and suddenly he remembered that he had twice taken his father-in-law home from that sanitarium, the first time in late March, 1962.

Well, this suspicion nagged at him, and so he asked the people in the jail if he could telephone the sanitarium at Booneville. They granted him permission, and the hospital confirmed his worst fears. The records revealed that he had taken custody of his father-in-law on both June 14 and March 17. He guessed he must have talked to Powers in March. As soon as he discovered his mistake, of course, he right away sent word to Gerstein. He was awfully sorry about the confusion.

Foreman's mercilessly sarcastic cross-examination continued through the rest of the afternoon and well into Thursday morning. He mocked Grimsley's convenient memory; he inquired if they had the same calendar in Arkansas as they did in Florida. He pursued Grimsley with the cruelty of a large bird playing with a half-dead rabbit.

The substance of his questions dealt with the matter of Grimsley's initiative *vis-à-vis* the telephone call to Booneville. He scorned Grimsley's account of a sudden recollection, suggesting instead that a Dade County detective had discovered the discrepancy in the dates; the detective, Lt. Alois Spath, then had refreshed Grimsley's memory. Although abject in his confession of human error, Grimsley repeatedly denied any complicity with the Sheriff's Department. Mrs. Mossler, sucking on a cough drop, smiled and flirted with the members of the jury.

On Friday, February 18, she appeared holding a bouquet of roses. She was celebrating her birthday two days early, and during the first recess she sent over to the press tables the birthday card slipped under her door that morning by her children. Below the usual banal greeting, three of the children had written a note.

From Martha, age 15: "This doesn't make you a year older, just a year younger again. Hope it's happy."

From Danny, 14: "I hope we all come out of this trial soon, and that will be your birthday present. Thank you for everything you do for us."

From Eddie, 11: "To the best mother in the world, and this may not be the best birthday, but if there is anything we can do to make it happier, please tell me."

At about 11 A.M. on Monday, February 21, after halfheartedly questioning a final and inconsequential witness, Huttoe slumped wearily into his chair, remarking over his shoulder, as if it were an afterthought, that the state would rest. Both he and Gerstein seemed bored and apathetic. They had not been allowed to introduce several pieces of evidence they considered essential to their case; off-the-record they spoke as if they retained little hope of a conviction.

That neither Powers nor Mrs. Mossler would take the stand was, of course, a foregone conclusion. Nobody expected them to do so, and according to the law, this could not be held against them.

The defense strategy depended on a belief in the persuasiveness of Foreman's rhetoric. He declined to bring any witnesses on behalf of Powers, a decision, which, under Florida practice, gave him the right to make the closing argument to the jury. All the defense witnesses therefore appeared on behalf of Mrs. Mossler. Foreman nevertheless obtained the right to cross-examine them in the interest of Powers, a maneuver that amounted to the same thing as bringing them himself.

The witnesses brought by Woody appeared, collectively, as shiftless and unimpressive as those presented by the prosecution. On Monday morning, in the brief recess between the end of the state's case and the beginning of the defense, Harvey St. Jean, an attorney for Powers, stood talking to a police detective in the corridor outside the courtroom. The first of the defense witnesses were sitting on the benches along the wall. The detective looked at them reflectively, assessing their worth.

"Yours," he said, "look almost as bad as ours."

"A dead heat," said St. Jean, and laughed.

The defense lasted only 4½ days. Essentially an extension of the previous cross-examinations, it divided into two parts: the little trial of Fred Roy Weissel and the character assassination of all of the prosecution witnesses.

The testimony involving Weissel, an interior decorator and self-confessed homosexual, was solicited from many of the same policemen and fingerprint technicians who had testified for the state. They told of Weissel's being found on Virginia Key (an island adjacent to Key Biscayne) at about 2:30 A.M. on June 30. Bruised and beaten, he first said he had "blacked out" and refused to discuss the incident further.

Working with no facts beyond these coincidences of time and place, the defense managed to suggest that Weissel killed Mossler during an argument about a bank loan. When the circumstantial evidence had accumulated sufficiently, Woody asked the bailiff to call Weissel as the next witness. He knew that Weissel had left the country to avoid embarrassment at the trial, but the bailiff's return to the courtroom without him produced a theatrical effect.

(Several weeks later the state attorney's office published proof that Weissel had been beaten by three young boys who, promising sexual adventures, lured him to the beach at Virginia Key. No evidence was ever found to prove that he had even met Mossler.)

The main thrust of the defense, however, was directed against the credibility of the men who supposedly had been offered money to eliminate Mossler. The defense lawyers attributed their testimony to motives of greed and avarice. The witnesses arrayed against Billy Frank Mulvey, for instance, included the assistant director of the Texas Department of Corrections, at least two narcotics agents, Mulvey's alleged best friend in prison, his father-in-law and his wife.

His wife, Lois Mulvey, appeared on Monday, February 21, and established the formula for the rest of the week. A small, pale woman, with a cute nose in the center of a bitter, pockmarked face, she sullenly answered the questions in the flat, depressed voice of a woman without hope or prospects.

No, she never observed Mulvey with any large sums of money. Yes, he had been a drug addict for maybe 13 years,

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as long as she had known him, certainly ever since they were married.

Q: (*By Mr. Woody*) Are you familiar with Billy Frank Mulvey's reputation for truth and veracity?

A: Yes.

Q: Is it good or bad?

A: Bad.

Q: Would you believe Billy Frank Mulvey under oath?

A: I don't know . . . He's lied to me a lot.

The other witnesses continued in the same mode, their answers filling in the miscellaneous corners of the infamous portraits being drawn by Woody and Foreman. Somebody remembered Mulvey's shooting heroin into his arms and groin; somebody else told of Grimsley's reputation as a worthless grifter in 48 of the 50 states in the union.

On Tuesday afternoon a Negro ranchhand named Nathaniel Allen got caught in an embarrassing contradiction while trying to recall the drunkenness of Edward Bart Diehl. Frightened and confused, his obviously rehearsed testimony eluding him, Allen burst into tears. The judge adjourned the court, and Allen retired to a chamber behind the east wall of the courtroom. Powers and Mrs. Mossler comforted him, telling him that he was a fine and brave man. (He also had once worked on the Mossler ranch outside of Galveston.)

The next morning he returned to the stand and refused to answer any questions, merely shaking his head and staring blankly at Huttoe and Gerstein out of huge, terrified eyes. Huttoe asked him if he had talked to Mrs. Mossler on the previous afternoon, but Allen said he couldn't remember anything.

As its star witness the defense presented a convicted rapist named Virgil Nelson Halford. Halford, who purported to be Mulvey's best friend in the Texas penitentiary, was a lean, shy and loose-jointed man, 29 years old, apparently so disturbed that he could not bring himself to meet the eyes of any of the men who questioned him. His voice so soft as to be barely audible, his attitude that of a man sick with despair, Halford held his head at an oblique angle, as if he were afraid of being hit. Through all the questions he kept brushing imaginary specks of lint from the knees of his pants.

"We were aces," he said of Mulvey, ". . . we aced around a lot together."

His recollection of "what Billy told me" got extremely complicated, like a child's explanation of a mysterious game. Billy, he said, told him that he never even met Powers, that he wouldn't know him if he passed him on the street, but that he had agreed to say whatever the state of Florida wanted him to say. The deal supposedly involved Mulvey's premature release from prison. It clearly saddened Halford to think that Mulvey had been transferred to another cell block and that probably they wouldn't see each other as much any more.

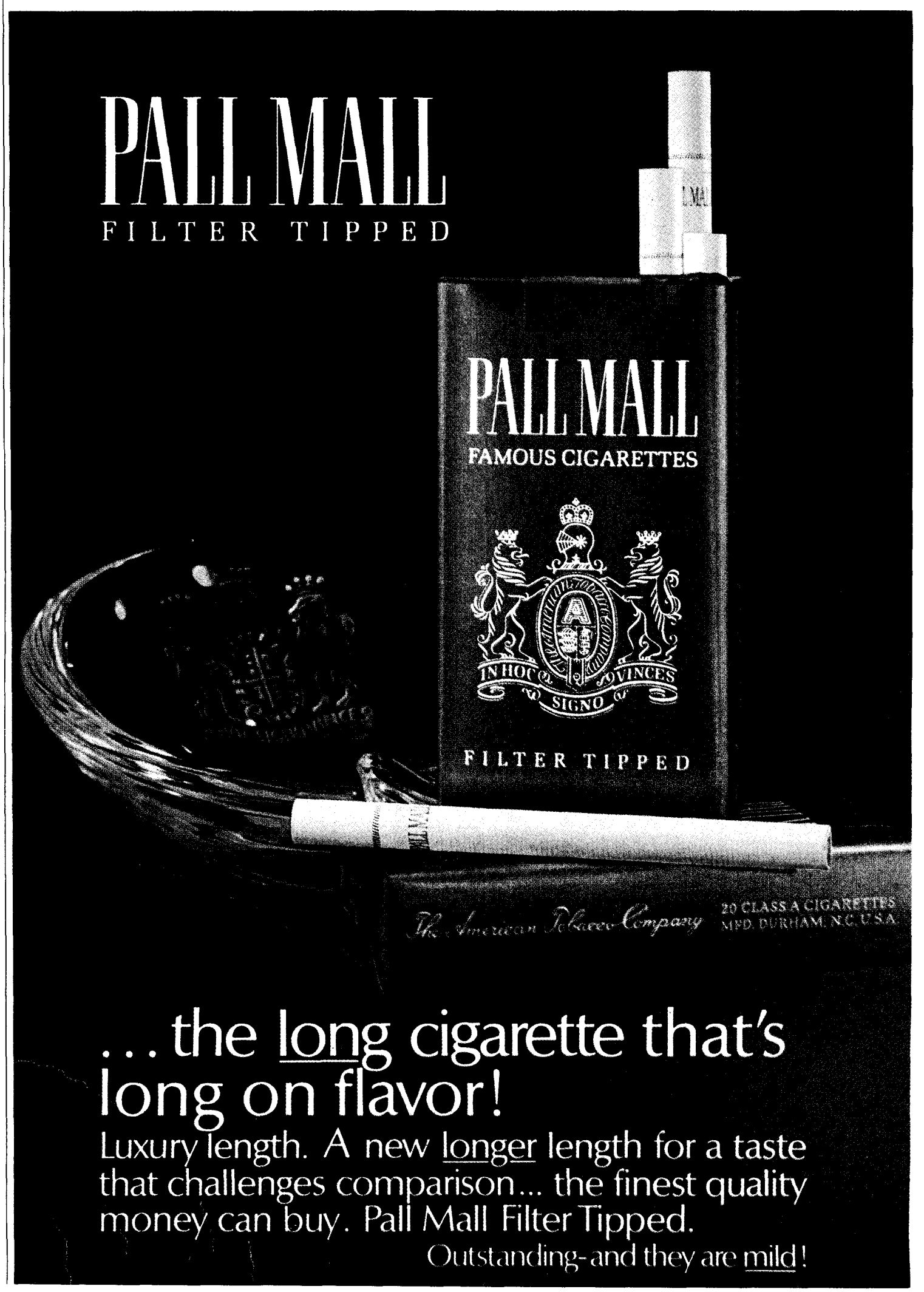
The defense concluded on the morning of Friday, February 25, with the testimony of Lt. Alois Spath. Although at first he attempted to give evasive answers, Spath eventually admitted that he had coached Grimsley. It had been Spath who discovered the dates of Powers's hospital records, who had checked on the dates of Grimsley's visits to his father-in-law in the Booneville sanitarium, and who had telephoned Grimsley in the Miami jail and pointed out his mistake. Grimsley had not, as he had testified, corrected the dates on his own initiative.

Annoyed at Spath's initial reluctance to tell the truth, Judge Schulz ordered Grimsley's amended testimony stricken from the record.

At precisely that point, the defense elected to rest its case. Mrs. Mossler yawned; Powers smirked at some joke exchanged between Foreman and St. Jean. Judge Schulz adjourned the court until the following day.

Both in the press room and among the spectators crowding toward the elevators, the suspicion of deals and conniving seemed as tangible as the gum wrappers on the stone floor.

"Everything around here stinks," said a lady in a white lace sunbonnet.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Now certain that no clear idea of the truth of Mossler's murder would ever appear from the evidence, the reporters indulged in cynical speculations as to who paid how much for which witnesses. Spath's admission cast a shadow on the prosecution's case, raising doubts about the other state witnesses and seeming to substantiate Foreman's allegations of corruption. Halford's recollection of his talks with Mulvey suggested the pliability of a convict's testimony.

On Monday the prosecution presented four rebuttal witnesses, all of whom testified to aspects of the case already established, and on Tuesday, March 1, the final arguments began. No longer under threat of subpoena to appear as witnesses, Mrs. Mossler's older children, Norman Johnson and Rita Wilder, came to court on Tuesday morning and were assigned seats in the first row. Norman, limping slightly from a boating accident, complained of a sunburn. A good-looking young man in his early 20's, he slouched and dozed through most of the morning. His sister, Rita, equally good-looking in a clean-cut, wholesome way, sat sternly upright, her hands in her lap, her eyes never wavering from whatever lawyer happened to be talking.

The bailiffs placed additional folding chairs in the well of the court for visiting judges and lawyers who came to compare the various styles of courtroom address. Chuck Hall, the mayor of Metropolitan Miami, sat through at least one of the nine speeches. He was the man who had agreed to play the role of the trial judge, and presumably he wanted to examine the set. Like variations on a musical theme, the nine closing arguments all depended on the mode of heavy sarcasm. Each side ridiculed the other's position, trusting, in long asides to the jury, that not even a child could be so gullible as to accept such fraudulent distortions. Judge Schulz permitted each lawyer all the time he cared to take.

Clyde Woody, Mrs. Mossler's chief lawyer, discussed the fragile nature of the circumstantial evidence presented by the state, reminding the jurors that the defendants entered the courtroom under the cloak of presumed innocence. Harvey St. Jean, one of Powers's lawyers, conceded the love affair between the defendants, but he dismissed it as a matter of little importance. "We're not trying a hugging and kissing case," he said.

Mrs. Rosen, in her only extended statement of the trial, offered what she called "the woman's point of view." She spoke on Tuesday afternoon, her blond hair done in a pageboy and tied with a velvet ribbon. She both looked and sounded like the smartest girl in the class delivering the valedictorian address. Her voice was high and shrill, her manner self-conscious. She portrayed Mrs. Mossler as a loving mother of six children, a grandmother and a poor widow without a husband to protect her. She thought it just frightful, "I mean a really terrible thing," that Mossler had deceived his wife with other love affairs.

"If a husband is running around with other women or other men," she said, "the wife is always the last to know."

As for the state's witnesses, why, they were just the most awful people, horrible persons out to say nasty things about a socialite. She mentioned Mulvey several times, always referring to him as "snitch Mulvey."

"Snitch Mulvey," she said, "that's the kind of witness they brought you . . . Did we bring people like this? . . . No . . . We brought you fine people, people who know what's going on in their communities—narcotics agents and police chiefs."

Although Mrs. Rosen's summation had the quality of a bitter parody delivered by a black humorist in a small nightclub, Mrs. Mossler thought it beautiful and touching. The two women embraced at the end, smiling wanly through their tears.

The prosecution attorneys argued that if somebody plots a murder it's no good going to bankers, rabbis or priests. One goes instead to the Mulveys and Grimsleys of the world. Gerald Kogan, one of Gerstein's two assistants, suggested that the trial would have been over in a week were it not for the unscrupulous defense attorneys with unlimited funds at their disposal.

Huttoe, choosing pious indignation rather than fierce anger, referred to the apartment rented by Powers for Mrs. Mossler in Houston as "this love nest." He reminded the jury of the unconventional behavior of the defendants, of the incest between them, of Mrs. Mossler's lack of tears upon the discovery of her husband's corpse.

"Not a sign of remorse," he said. "There is nothing normal about these people, not in the terms of the society in which we live. They have no feeling."

He concluded in a low whisper, standing back and away from the jury box, pointing an accusing forefinger at Mrs. Mossler. Although she didn't strike the fatal blow, he said, she must be judged the more guilty partner to the murder, leading Powers, her dupe and pawn, into the paths of wickedness. Placidly stroking the pearls at her throat, Mrs. Mossler looked at him with faintly amused irony.

As of Thursday morning, March 3, only Gerstein and Foreman remained to be heard. Gerstein, who would speak first, paced nervously back and forth in the press room before the court convened. He wore his customary blue suit, blue shirt and blue silk handkerchief, as if dressed for an appearance on a television guest show. The expression around his eyes and mouth betrayed his habitual anxiety.

"If the jury buys the stuff about Mossler being a homosexual," he said, "we're dead."

Gerstein's summation, surprisingly, carried considerable force and conviction. "There is too much cynicism in this nation about the administration of justice," he began, ". . . too many people who don't care, who don't want to get involved. I don't share in that feeling."

Confining himself to abbreviated gestures with his left hand, Gerstein stood relatively motionless during the whole of his speech, his voice pitched at the level of reasonable discourse among reasonable men. He characterized the tactics of the defense as the oldest tricks in the world, all intended to divert the jury's attention from a commonplace crime.

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"The motives are as old as the history of the world," he said, "Greed, avarice, lust and money. Mossler was in the way, and they couldn't be sure of the control of the money until they had eliminated him from the face of the earth."

He hoped that the jurors would not decide the case on the basis of colorful phrases, clever innuendo or humorous oratory. He pointed out the irony of the defense presenting Mrs. Mossler as a loving and dutiful wife who nevertheless maligns her husband as a vicious pervert within a few hours of his death.

"Homosexuality is the easiest accusation to make," he said, "and the hardest for a dead man to refute."

Conceding that the prosecution's theory of the crime depended on its being committed by very stupid people, Gerstein suggested that Powers, obviously a reckless braggart, might also involve himself with such obvious bunglers as Mulvey and Grimsley.

He did not, at the end, insist on the death penalty.

"The law has left that to your conscience," he said, "and if you recommend mercy, that is OK, I would have no quarrel with that. I know in my heart that you will do what is right."

Two of the jurors looked thoughtfully at their fingernails; a third, in the second tier, fiddled with a package of Life Savers. Judge Schulz allowed a respectful moment of silence and then declared a brief recess. Gerstein's summation had lasted exactly an hour.

Outside the courtroom, in the noise and confusion of the crowded lobby, Gerstein signed autographs for several women who said they admired his plain speaking. Huttoe congratulated him and patted him encouragingly on the shoulder. Even Bobby Jo Oliver, Powers's blond cousin from Birmingham, told him she thought he had been "especially good on the psychology."

Off in another corner of the lobby, Foreman stood within a circle of his own admirers, many of whom also pressed him for autographs. Knowing that the Mossler trial might be one of his last dramatic appearances, he had brought his wife and daughter from Houston to hear his closing argument. Patrick O'Bryan, a public-relations man and admirer of Foreman's, asked him how long he figured he would talk.

"Well, I'll tell ya," Foreman said. "It depends on how I'm enjoying myself. There are two things I've always liked. I like a good listener, and I like to hear a smart man talk."

He talked for nearly five hours, with three intermissions. His address was the work of a conjuror, an itinerant seller of snake oil. He left nothing out, improvising on a ragbag of thesaurus quotations and lines borrowed from the Old Testament, Shakespeare, old Chautauqua speeches, Wordsworth, H.G. Wells, Buddha and Christ.

Standing closer to the jury box than the other lawyers, he began in a deceptively bland voice, looking at each juror in turn as if to confide the impression that he spoke to them all as individuals. For the first 10 minutes he extended elaborate compliments to members of the court, graciously giving thanks to the stenographers, the bailiffs and the clerks (he called them each by name); also to the janitors and cleaning women, whose names, regrettably, he didn't know but whom he described as "the faceless ones who prepare the court for the next day."

He considered it providential that blind chance had assigned Judge Schulz to preside at the trial, a man who guided so fairly, so honorably, so justly. Still preserving the courtly and flattering manner, he turned toward Gerstein and his assistants, acknowledging their presence with an almost imperceptible bow. He congratulated them for their intelligence, their great minds and their erudition, but somehow, in the middle of the compliment, his voice shifted toward treacherous irony.

"The people of Dade County are fortunate to have so courageous a district attorney," he said, ". . . Not another D.A. in the country would have had the guts to sit on a case where the evidence is almost entirely absent."

Throughout the rest of his speech he often referred to Gerstein as "that tall, giant of a prosecutor" or to Huttoe as the possessor of a voice so smooth and mellifluous that it should be employed making radio commercials for Billy Graham. The references became increasingly ironic, accompanied by parenthetical statements to the effect that district attorneys are trained to think evil thoughts, or that it was their business to take the life and liberty of their fellow men.

The major part of Foreman's address recapitulated the themes he had set forth both in his opening statement six weeks before and in his many cross-examinations. He envisioned a cabal of convict perjurors operating out of the star chamber of the Dade County Sheriff's Office; he described the sheriff's men as villains who, in their greed and cruelty, chose at random among the citizenry and assigned their victims to stand trial for unsolved crimes.

He reminded the jury that he could return to the relative safety of another state. "But you, you have to live here. The next victim may be someone near to you, someone for whom the bell is already tolling."

Ascribing the case against Mrs. Mossler and Powers to an insidious plot, he suggested that the witnesses had been recruited like so many actors and then given scripts to memorize. He deplored the poor taste shown by the state attorney in his choice of those witnesses. He trusted that the members of the jury would not have stooped so low.

"You wouldn't come in and insult honorable men with scum," he said, almost shouting, "with the wheelbarrows of manure dumped from that witness stand."

Powers, to whom Foreman referred as "that innocent boy," listened with a contented smirk, lounging as comfortably as he could in his chair, safe in the knowledge that he was represented by the best that money could buy. Mrs. Mossler ("that sweet little woman") looked frightened, her mouth slightly open, a bouquet of flowers clutched in her hand. Judge Schulz, preoccupied with his instruction to the jury, only occasionally looked up from his writing, mildly amused by a particularly outrageous metaphor.

The spectators, at least for the first two or three hours, loved it. During the noon recess those that had heard the morning's speeches regrouped at the

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end of the line, hoping to get a seat for the afternoon show.

"I even got a kiss off of Mrs. Mossler," said a man wearing a yellow tie, "but I still say she's a guilty woman."

"She's a woman of exquisite beauty; an affectionate, loving mother," said a woman in a fur stole. "She's been doing charity work for years."

After lunch, Foreman resumed with a loud, burlesque-like dramatization of the state's motives. Waving his arms, contracting himself into a low crouch, he yelled at the jury.

"They want ya to forget the evidence. Let's guess these people into the electric chair, that's what they want you to do, fellas. Burn 'em, fry 'em, help me kill 'em, fellas, help me kill 'em. The papers are waiting for a verdict."

His hands, as always, seemed full of things, either papers or photographs, a handkerchief or a glass of water; always the magician's hats and rabbits. At one point, appealing to the patriotism of the jurors, he paid them fulsome compliments as the custodians of the American way of life. They represented not only the Constitution and the Bill of Rights, he said, but also the ideology of the western world, the surest defense against the Godless oppression of the totalitarian countries to the east.

Like the other defense lawyers, Foreman discounted the love affair between Powers and Mrs. Mossler as something of only minor interest. He observed that in Florida the fine levied against a person convicted of fornication amounted to no more than $30.

"I'm glad we have a moral-minded district attorney," he said, ". . . also an assistant district attorney who underwrites that moral-mindedness. I'm sure they will stop fornication and eliminate adultery and assignation. They're going to stamp it out. I know they are. It's a shame the world has had to wait so long for that crusade."

When, shortly after 5 P.M., the court recessed for the third time since Foreman began to talk, a number of spectators wearily left the courtroom, willing to give up their seats to the people still standing in the lobby.

"I'm not coming back," said a man in a Panama hat. "I thought we had lawyers, not preachers."

"For $200,000," said somebody else, "he can make it less than four hours, for God's sake."

"Murder, Inc., would have been cheaper," said an old woman in sneakers.

Among Foreman's friends from Texas, O'Bryan, the public-relations man, had organized a pool in which everybody invested one dollar and then guessed how many hours the jury would stay out. Most subscribers felt they already had lost unless they drew numbers 1, 2 or 3. O'Bryan, however, comforted them with regional advice.

"Ya never know about Nigras," he said, "sometimes they can hang up a jury for the goddamnedest reasons."

The rest of Foreman's speech developed no new information, and at about 6 P.M., noticing the jurors begin to shift restlessly, he abruptly modulated into his conclusion. This consisted of a long recitation from the New Testament. Quoting almost verbatim, Foreman retold the tale of the woman taken in adultery, of how the people brought her to Jesus in the Temple and told Him that the law of Moses required that she be stoned to death, and of how Jesus answered them, saying, "Let him who is without sin cast the first stone." None condemned her, and after they had gone, Jesus said to the woman, "Go, and sin no more."

With those familiar words, offered in a hushed and penitent whisper, Foreman rested his case. He stood for a moment without moving, his head bowed, his hands drooping loosely at his sides, his pose that of a supplicant before the bar of divine justice. Once, as if reconsidering, he raised his head as if to say something else, but then, with a wistful sigh, he turned reluctantly away, allowing his last phrase to linger in the quiet courtroom.

On the third bench of spectators, watching through appraising eyes, O'Bryan nudged the man next to him.

"The last time old Percy ended with that quote," he said, "he got the damn thing mixed up."

The jury stayed out for almost three days. Judge Schulz read his instructions to the jurors on Thursday night, reconvening the court after a recess for dinner at the end of Foreman's summation. He defined the meaning of circumstantial evidence, set the limits of the jury's responsibilities and explained the possible verdicts at its disposal. The guilty verdicts varied between first-degree murder, with or without mercy, and manslaughter.

"Verdict means to tell the truth," Judge Schulz said. "There is no triumph except reaching the truth."

At 9:15 P.M. he excused the three alternate jurors and asked the bailiff to lock the remaining twelve men in the jury room for at least an hour before sending them back to their hotel. They filed out of the room without looking at either of the defendants.

Later that night, at a table in Craig's Other Place, Gerstein and Huttoe sat with a number of reporters who had already filed for their morning editions. Nothing now remained but to wait for the jury's decision. Both men seemed relieved that their task was over, and for the first time since the trial began Gerstein felt free to comment on the prosecution's case. He absently stirred the ice in his drink.

"You know something?" he said. "I think Grimsley might have been telling the truth."

He said it reflectively, as if, after long thought and careful weighing of the other possibilities, that seemed the most likely hypothesis.

On Friday, asking to hear again the testimony of the neighbors at Governor's Lodge, where Mossler had been murdered, the jury returned to the courtroom to listen to a stenographer read back the relevant part of the transcript in flat and uninflected voice. Elsewhere in town the bookmakers established their final betting odds; 10-1 on an acquittal for Mrs. Mossler; 9-5 on a conviction for Powers.

On Saturday afternoon the jury sent an apologetic note to Judge Schulz, advising him that their irreconcilable differences made it impossible for them to reach a verdict. The judge asked them to continue their deliberations. Somebody hired a man with a telescope to stand on a roof across the street from the courthouse to see what he could see through the windows of the jury room. He reported several men sitting around a table playing cards. The man who

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brought coffee and sandwiches to the jury at noon told of profound and hopeless silences.

At 10:30 A.M., Sunday, March 6, the foreman of the jury knocked on the door of the jury room to summon the bailiff. The verdict had been reached. Judge Schulz sent word to the defendants, to the various lawyers and to the press, informing them that he would convene the court at noon.

Only Foreman failed to appear. His car broke down on a freeway, and he didn't arrive until the verdict had been announced. The lobby on the sixth floor was already crowded at 11 A.M.—the usual television crews and reporters, police detectives in corners discussing the procedures for transporting Powers and Mrs. Mossler if they became prisoners. Among the regular spectators, only the most persistent showed up, coming, without advance information, on the off-chance that something might happen. They had seen all the early reels, and they didn't want to miss the last installment.

Gerstein arrived with Huttoe and Kogan at about 11:30, stopping only long enough in the lobby for cursory remarks to the press. Not expecting a conviction, they glumly took their places at the prosecution table, its highly polished surface bare of papers. Woody and Mrs. Rosen, who had come into the courtroom through one of the end doors, studied the patterns in the soundproofed ceiling.

Gerstein's mother did not attend. Judge Schulz's wife occupied her place in the first row, next to the judge's 10-year-old son, the owner of Craig's bar, and other friends of the court. Mrs. Mossler's family sat in the second row, both Rita and Norman wearing dark glasses. The third row had been reserved for court stenographers and the girl friends of several bailiffs and detectives. For the first time since the trial began the courtroom was only about half-filled.

Powers, dressed in an olive-green suit, arrived exactly at noon, accompanied by Harvey St. Jean. Saying nothing, his mouth set in a grim line, he ignored the photographers who held their light meters up to the side of his head.

Mrs. Mossler was late. Five minutes after everybody else had taken his seat she came in through the end door, walking quickly on her high heels. She wore a beige suit, a white coat and dark glasses. Her entrance produced an abrupt silence in the room. Everybody suddenly became conscious of the noise of the air-conditioning unit. Even the least sensitive spectators recognized the approach of a real decision bearing real consequences.

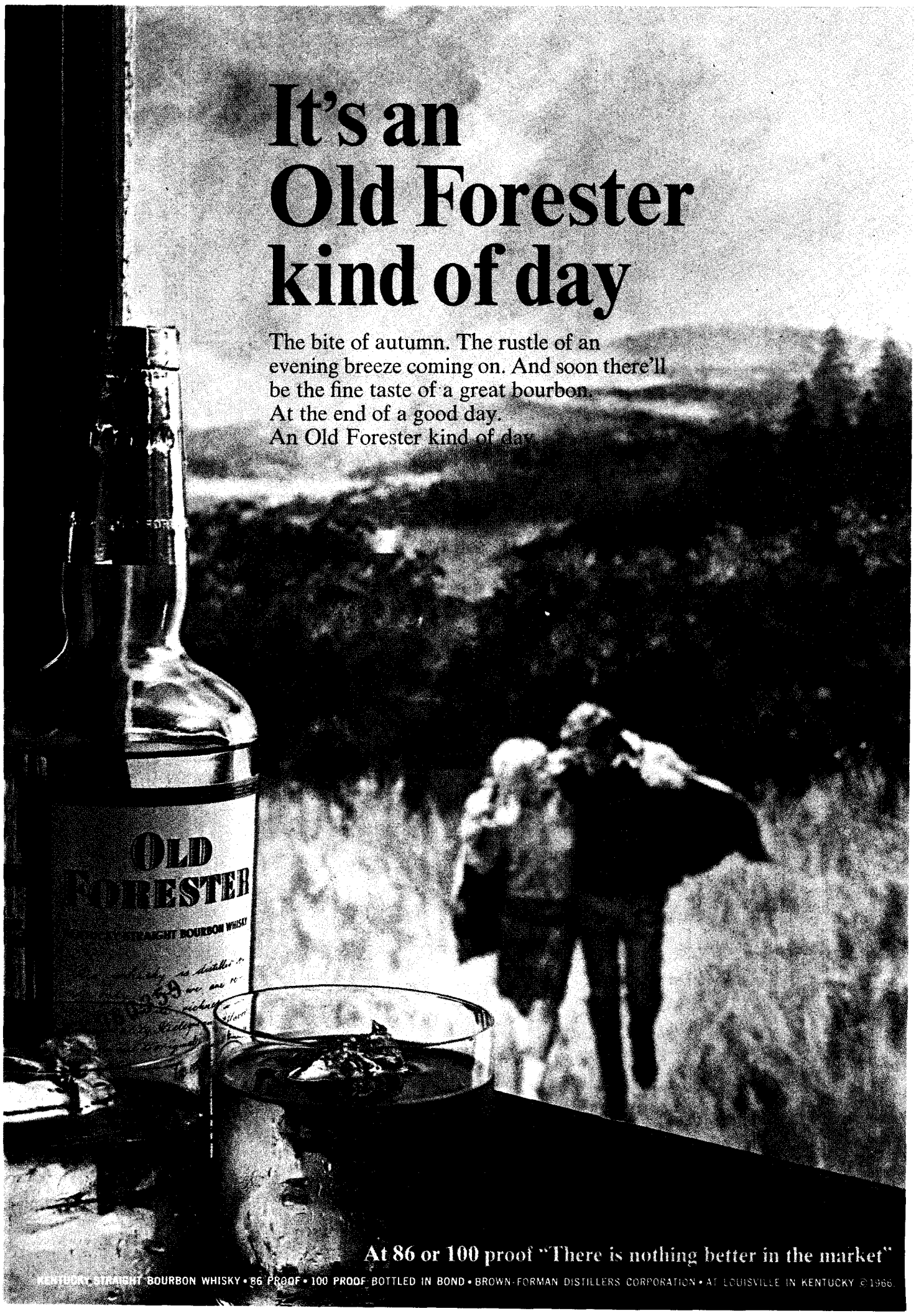
The appearance of Judge Schulz, now perceived as an ominous figure in a black robe, increased the tension. Before sending the bailiff to bring in the jury, he advised the courtroom that he would tolerate no emotional demonstrations of any kind, that these, if they occurred, would be construed as contempt of court and dealt with accordingly. The severity of his voice compared, in that expectant silence, to the sudden glimpse of a soberly intelligent face seen through the hazy laughter of a drunken brawl.

Mrs. Mossler apparently wiped a tear from the corner of her eye, but under the dark glasses it was hard to be sure. Her bleached hair was more bedraggled than usual; she tried to make herself as small as possible in the corner of her chair. She didn't look at Powers, who also seemed frightened. His face remained as impassive as always, but his knuckles showed white where he gripped the arms of his chair.

The clerk, a serious man of about 25, nervously tapped the microphone in front of him to make certain it had been connected. Under Florida procedure he would read the verdicts. Conscious of the drama in the moment, he had bought a new suit for the occasion.

When the jurors came in, they stood solemnly in front of their chairs while the clerk called their names on the roll. The bailiff then accepted two pieces of paper from the foreman and handed them up to the judge. The judge read them before passing them on to the clerk. He seemed surprised.

The clerk first read the verdict for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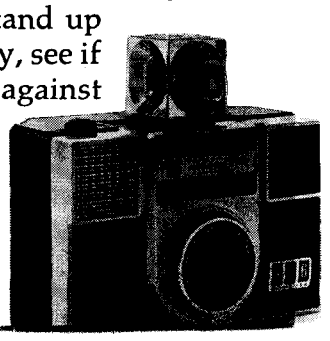

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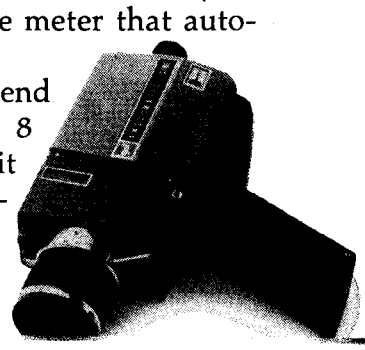

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Powers. At the words, "Not guilty," Powers slumped forward in his chair, his face relaxing into an expression of vacant disbelief. He whispered the single word, "Beautiful." The women among the spectators gave way to loud, half-strangled cries. Mrs. Mossler burst into tears.

She continued to cry as the clerk read the verdict proclaiming her own innocence, her heavy, fitful sobbing audible through the entire courtroom. Her attorneys helped her stand unsteadily in front of the judge's bench, her face streaked with mascara. Powers numbly nodded his gratitude toward the members of the jury. The jurors, like benevolent uncles in the fairy tales, smiled amiably on the defendants' emotions. From the outer lobby, as the news reached the people who had come too late to get into the courtroom, there could be heard the sound of cheering and applause.

Three minutes later, unnoticed in the confusion, the judge and jury had gone; the trial had ended. The bailiffs forcibly held back the crowd shoving into the well of the court in the hope of reaching Mrs. Mossler. Many women, now weeping openly, wanted to touch her or give her flowers. She had resumed the starring role in a Lana Turner movie. Still crying, Mrs. Mossler kept repeating the same phrases.

"Oh suh, thank you, suh," she said, ". . . Suh, my children thank you . . . Oh suh, it's been such a dreadful nightmare . . . Oh suh, my babies . . ."

Her attorneys finally managed to lead her into the antechamber behind the courtroom, where, surrounded by another jostling crowd of reporters and photographers, she kissed Powers. The photographers missed it; in the dense mass they had not been able to point their cameras. They vainly implored her to repeat the gesture.

"Please, Candy . . . Candy, just once more . . . Come on, Candy . . ."

The television reporters pushed microphones up to her face, and through little gulps of tears she continued to talk about her babies and her faith in the American people. Eventually the police forced the press out of the room.

Outside in the lobby Gerstein waited to make a terse statement to the few reporters who bothered to ask for it.

"I'm disappointed," he said, "I don't agree with the verdict. But that is the American system of justice. The case is closed."

Hoping to avoid the crowd still milling around in the lobby, the bailiffs took Powers and Mrs. Mossler out of the building through an exit in the basement. There, by chance, she met the members of the jury, who were themselves being led away through a side door. She rushed toward them, overcome by a renewed flood of tears, kissing each man in turn.

"Oh suh, thank you suh," she said, "thank you so much."

A Negro juror, himself in tears, smiled and said, "God bless you, ma'am."

Meanwhile, on the front steps of the courthouse, a crowd of about 200 people had gathered to watch Mrs. Mossler's departure. Trusting the inside information of a television crew, they dutifully lined up in long rows on either side of the camera, waiting for an orderly interview of the kind they had seen on so many 6 o'clock reports. The reporter, speaking in a voice meant to convey large, national significance, had begun his introductory remarks.

"This is the Dade County Courthouse on a quiet Sunday morning in Miami . . . Any moment now we expect Mrs. Candace Mossler to walk down the steps of the building, a free woman . . . After seven weeks of sensational testimony, the . . ."

The crowd suddenly broke and ran, everybody yelling to his friends to follow. Somebody had spotted Mrs. Mossler coming out of the basement. The reporter, still on camera, wrenched his head violently around.

"Wait a minute," he said, "wait a minute . . . which way did she go?"

At that moment she was walking west across Flagler St., trailed by another 150 people. Rita and Norman walked beside her; Powers, grinning, followed a few steps behind with the lawyers. She embraced the seven or eight people standing nearest to her while the court bailiffs cleared a space around Woody's car, a bronze Cadillac convertible with Texas license plates. For a few people she signed autographs. As the car moved off, the top down and Powers sitting in back with St. Jean, Mrs. Mossler blew farewell kisses to the crowd. Her departure resembled that of a college beauty queen en route to the big game.

In the parking lot, a little girl of maybe eight or nine confessed to her mother that she had gone up and kissed Mrs. Mossler on the cheek. The mother slapped her. "Leslie," she said, "that's nauseating."

Later that afternoon, in a ballroom at the Dupont Plaza Hotel, Mrs. Mossler held a press conference. The large number of folding chairs and the placement of the microphones and cameras suggested the arrangements for the announcement of somebody's campaign for governor. Mrs. Mossler had retouched her makeup and changed into a flowered silk dress that matched the color of the walls.

She occupied the center place in a family tableau arranged in two rows behind a long, raised dais, like a group portrait for a Christmas card. Seated on either side of her in the first row were Powers, Woody, Mrs. Rosen, St. Jean, Rita, and Rita's child, Mark Wilder, age 11 months. Behind them stood a number of cousins, brothers and other relatives; also Mrs. Mossler's four adopted children. The three boys wore blue blazers and yellow shirts. Martha, a tall and already good-looking girl of 15, smiled eagerly into the television cameras.

Mrs. Mossler began with a prepared statement. "I just feel marvelous about the whole thing," she said, "I'm thankful to you all."

Her youngest son, Eddie, rested his hand affectionately on his mother's shoulder. While she talked, explaining that she and Mel had no plans to marry, she toyed with Eddie's fingers. Somebody asked her how she felt about Roscoe Brown testifying against her.

"Oh suh," she said, "I hold no grudges to anyone . . . Poor Roscoe, he was scared and hounded to death by those police officers."

Even Powers answered a question, his first since the trial began.

"I'm very happy," he said. "Thank you for your support and everything. I'm going to do a lot of thinking."

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For the first time in two months he smiled with his mouth open, and it could be seen that he had lovely teeth. He wore a maroon sports jacket and spoke in a slow, soft drawl.

Woody smiled and said the trial ended just about the way he expected; Mrs. Rosen said she was thrilled. They explained that Mossler's estate, which they estimated at $33 million, could now be distributed. Each of the children also made statements.

"It's great to be free again," Martha said, "and out of this whole thing."

Eddie said: "It's nice to walk out on the street and have people stop looking at you like you were from outer space or something."

Which was a nice line, and exactly, word for word, what Martha had said when the family arrived in Miami early in January.

At about 4 P.M., still hoping for some word or gesture that might relieve the uncertainty of the preceding seven weeks, everybody left to go to a party that Foreman had arranged in a room overlooking a golf course on the other side of town. Despite the free drinks and plentiful canapés, however, the party wasn't much fun. The room was too big for the number of people who showed up, and too many of those who did suspected that the jury might have come back with the wrong decision.

Foreman, of course, welcomed everybody in a mood of triumphant celebration. Wearing a yellow Texas rose in his lapel, he magnanimously conducted the crowd to the bar. He had successfully defended his reputation at the trial because, alone among the contending lawyers, he had understood that it had to be conducted not on the basis of the facts or the evidence, but as much as possible in terms of popular prejudice. Somebody asked him what had become of the charges of homosexuality against Jacques Mossler.

"Referred to a higher court, my boy," he said.

Somebody else facetiously inquired about the best method of committing a successful crime.

"Don't do it, son," said Foreman, "I can get you Billy Frank Mulvey or Virgil Nelson Halford."

A number of bailiffs and deputy sheriffs, at first unrecognizable in their civilian clothes, laughed at all the appropriate intervals. In an adjoining room, in a prim row at a long table, a class of Eastern Air Lines stewardessess sat eating an early dinner. On the other side of the long, arched windows in the north wall of the whitewashed room, a men's foursome moved into the lengthening shadows on the 18th green.

The Mossler family arrived together, all the same people from behind the dais at the press conference. The adults all wore dark glasses. Mrs. Mossler and Powers, exchanging sweet smiles, posed for photographs on a pair of orange chairs. Powers also posed with Mark Wilder, his aunt's baby grandson, balanced on his knee.

Theo Wilson, the correspondent for the New York *Daily News*, had brought an advertising poster used by the paper throughout the trial. Big enough to cover the side of a delivery truck, the poster showed an enlarged photograph of Mrs. Wilson interviewing Mrs. Mossler. Above, in enormous, boldface type, were the words, THE CANDY MURDER TRIAL.

Mrs. Mossler thought the poster very cute. Her daughter Martha obligingly took it around among the people present, inviting them to autograph it as a keepsake. Like a polite young lady passing cakes at a church bazaar, she presented it to detectives, lawyers, reporters, and anybody else in the room. Everybody signed it; so did Mrs. Mossler and Mel and all the children.

Although Foreman still refused to let Powers talk at random, Mrs. Mossler, accepting a glass of champagne, continued to gossip with anybody who could still think of questions to ask.

Yes, she said, in her Houston mansion she had paintings by Gainsborough and Renoir. No, she didn't remember the names of the paintings, but they were fine old masterpieces. Of all the cities in the world, she preferred Athens because it combined the wonderful things of antiquity with the modern convenience of Acapulco. Yes, she loved children, and when she traveled abroad she noticed that small children often followed her in the streets. She guessed that best of all she liked singing and dancing, being musical, you know, and when she was younger she had written the lyrics and music of a rock-'n'-roll song called *Love Me*. Her favorite perfume was Shalimar; her favorite colors, pink and powder blue.

Later in the week, having posed for magazine photographs and briefly visited the nightclubs on Miami Beach, Powers and Mrs. Mossler returned to Houston. During the spring and early summer the news of their whereabouts presented the familiar contradictions. Clyde Woody, reached by telephone in late June, spoke of his client's renewed interest in her business ventures and her hope of buying a bank in Beverly Hills. She continued to live in the Mossler mansion, he said, and she hadn't seen much of her nephew. He also mentioned her improved health and appearance, her remarkable fortitude and the crowd of happy children (friends of her adopted sons) who gathered daily around her swimming pool.

"A very refreshing woman," he said. "Extremely hard-working. It's wonderful how she came through this thing."

Foreman implied a different sort of conclusion. He had heard that Mrs. Mossler and Powers had traveled to New York and Hollywood, using the names Weatherby and Lane and giggling together in the dark corners of crowded restaurants. He also had heard that Powers had begun to negotiate for property in Houston on which to build the 14-story office building that Mrs. Mossler had set as the romantic task of their courtship.

Early in July, Mrs. Mossler herself, passing through Miami on business and accosted by a local reporter in a downtown hotel, consented to a brief interview. She had gained 20 pounds and looked less haggard than the reporter remembered her from the trial.

The interview, however, conformed to the style of her previous statements. She was traveling with her youngest son, Eddie, whom she intended to place in a private school in Switzerland in the fall. No, she hardly saw Powers at all anymore. She talked at length about her banking enterprises, about liquidity, price/earning ratios and subordinated convertible debentures. She also said that she had written a new song called *Love Heals All.* □

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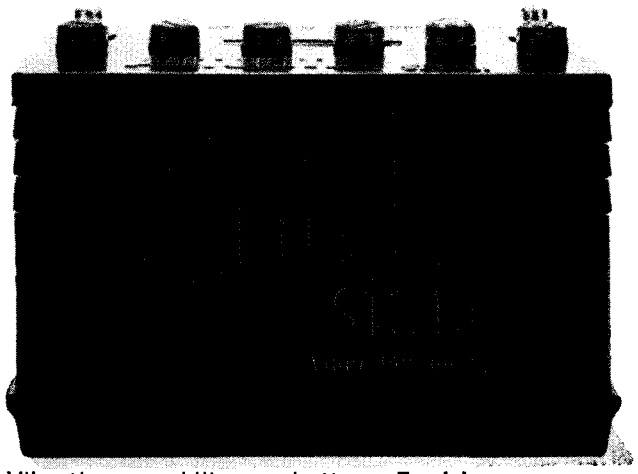
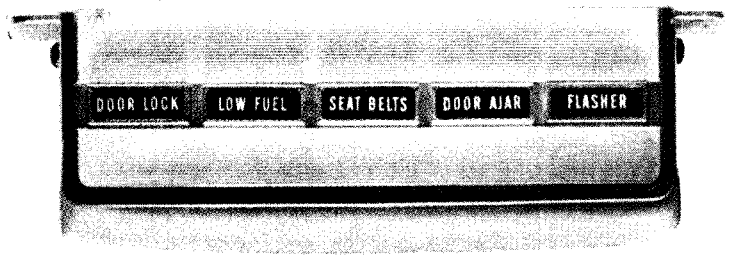
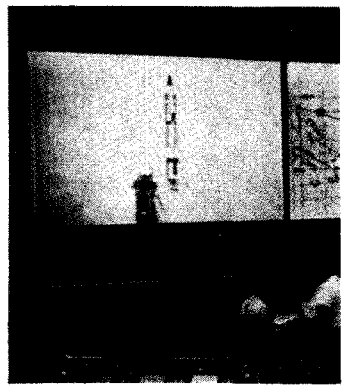
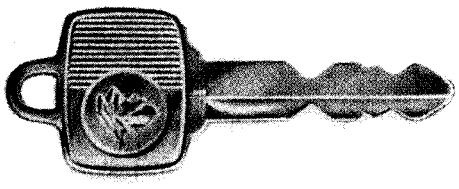


Vibration can kill your battery. **Ford has a better idea.** *Autolite's Vibration* Guarded Battery. Will withstand vibration 20 times longer than ordinary batteries.

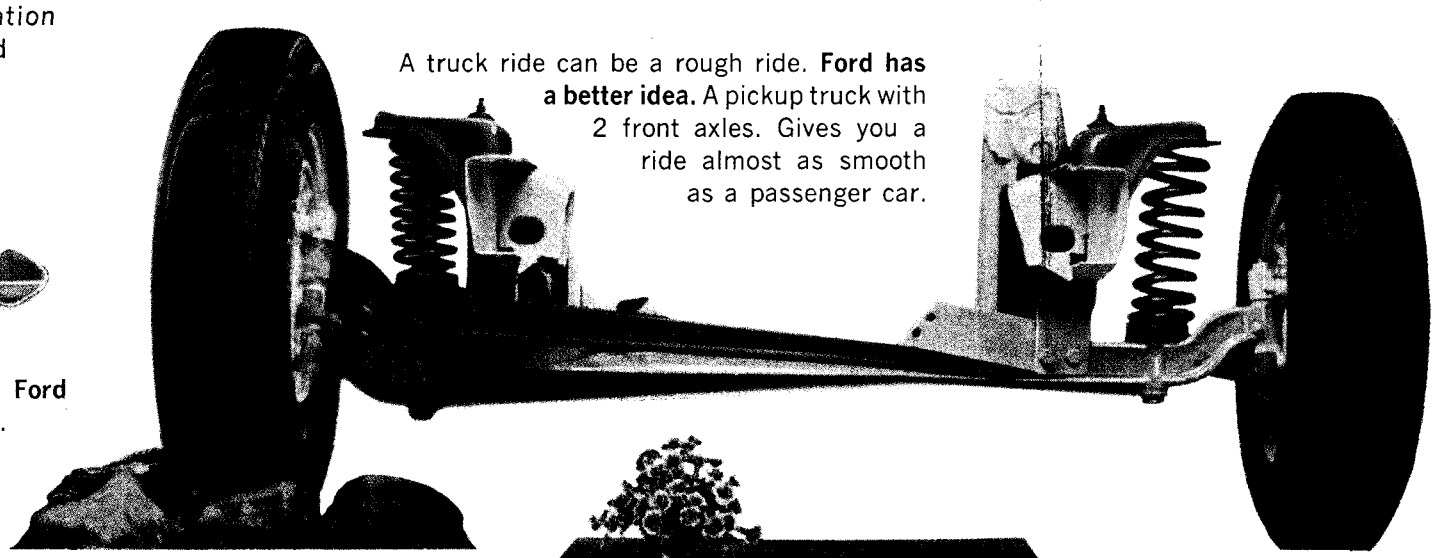
Absent-minded about safety? **Ford has a better idea.** Optional Safety Panel. Flashing lights act as a safety reminder for you.



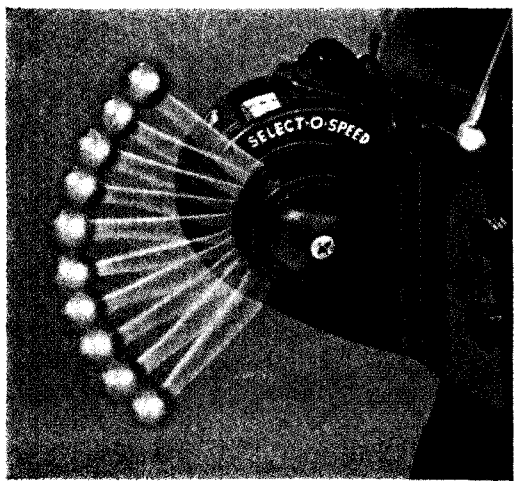




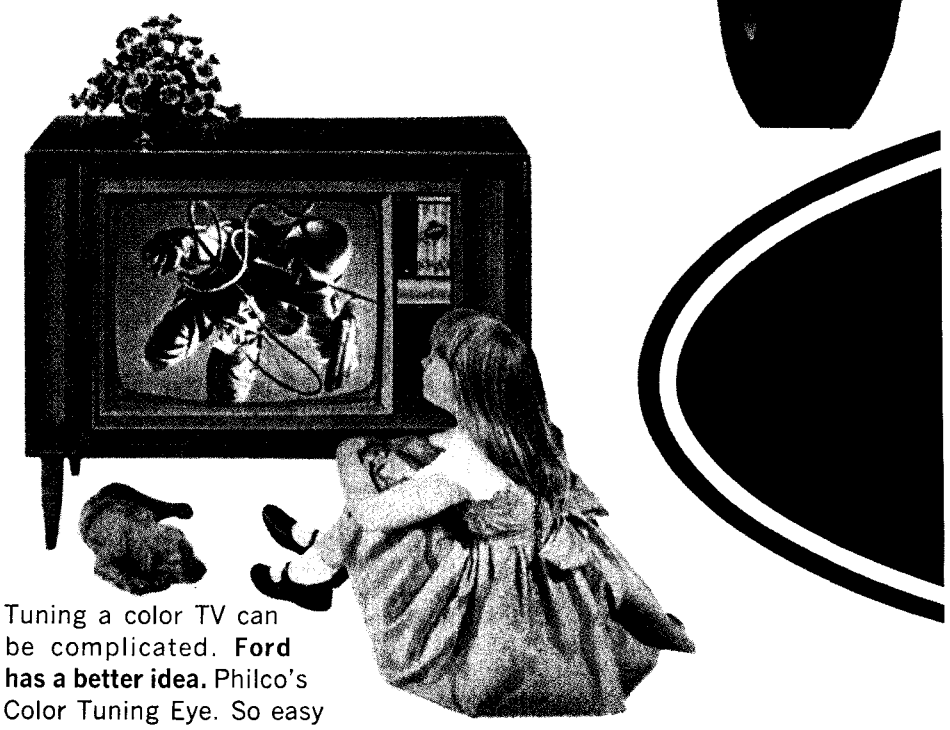
Annoyed by upside down keys? **Ford has a better idea.** A two-way key. It's always right side up.



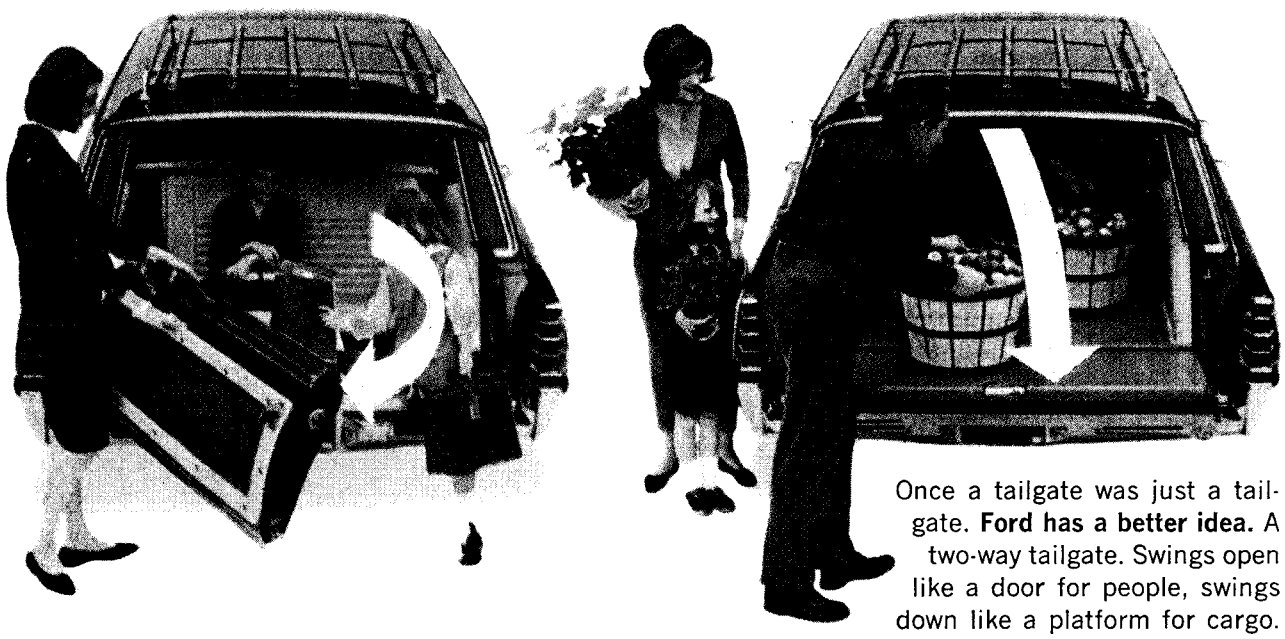
A truck ride can be a rough ride. **Ford has a better idea.** A pickup truck with 2 front axles. Gives you a ride almost as smooth as a passenger car.



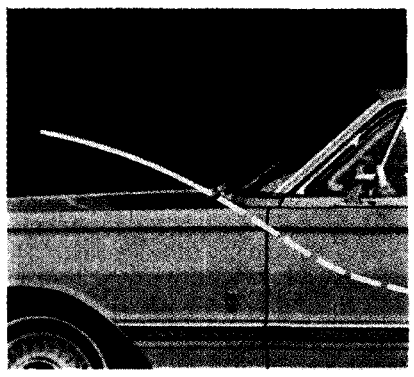
Many tractors waste needless horsepower. **Ford has a better idea.** A tractor with 10 forward speeds. Lets you match engine power to work load.



Tuning a color TV can be complicated. **Ford has a better idea.** Philco's Color Tuning Eye. So easy a child can do it.



Once a tailgate was just a tailgate. **Ford has a better idea.** A two-way tailgate. Swings open like a door for people, swings down like a platform for cargo.



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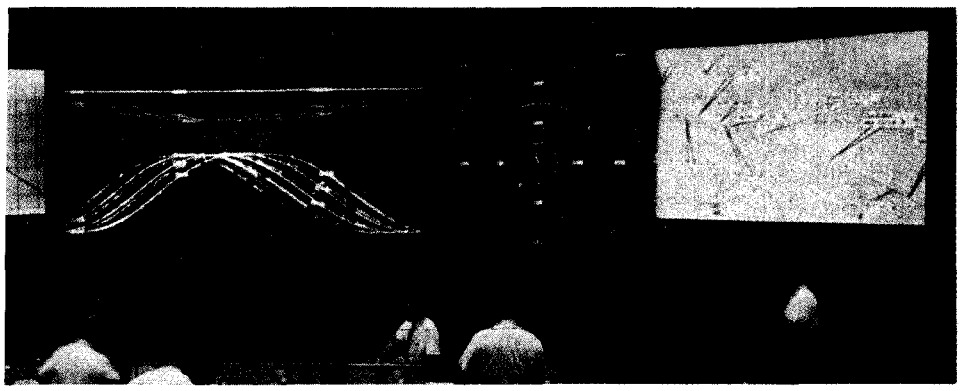
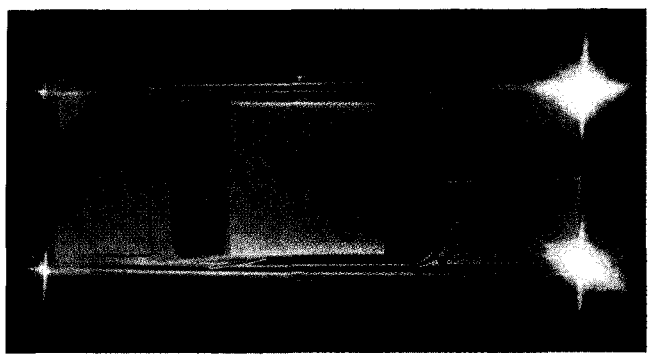


)elayed information can hamper a space flight. **Ford has a better idea.** NASA's Mission Control Center—designed by Ford's Philco subsidiary. Displays a continuous flow of immediate information for split-second decisions.

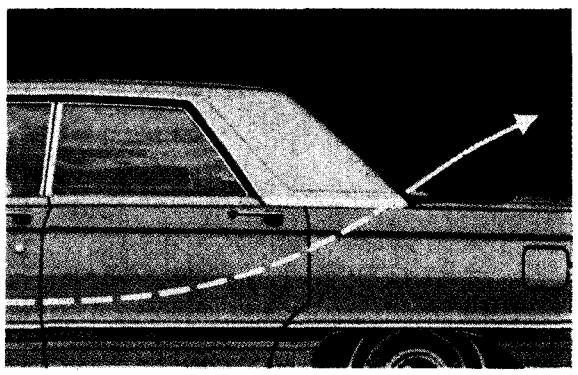


If you're stopped on the highway at night, it can be tough for others to see you. **Ford has a better idea.** Standard equipment 4-way emergency flasher lights that warn other motorists—in plenty of time—that you're there.

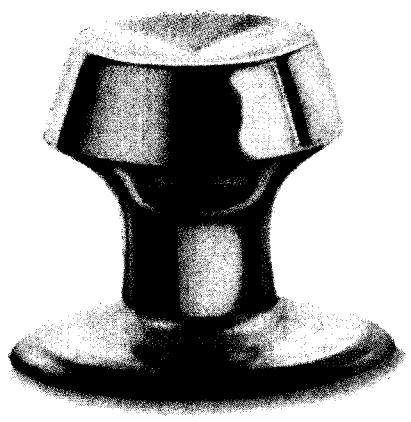
Hate messy spill-overs?
Ford has a better idea. A Philco range with a tilting top—wipes as clean and easy as a counter top.

Ford

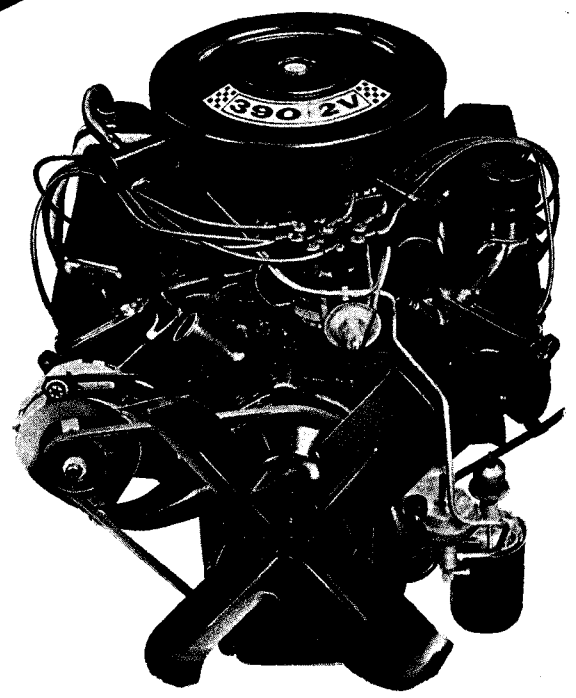
...has a better idea.



Rainy days can mean closed windows, stuffy cars. **Ford has a better idea.** Front and rear vents provide plenty of good fresh air—with all the windows closed.



Forget to lock rear doors? **Ford has a better idea.** On a Mercury you can get rear doors that lock automatically at 8 m.p.h.



Once high-powered engines needed a premium gasoline. **Ford has a better idea.** 390 cubic inch V-8 engine—biggest in the industry to develop full power on regular gas.

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Beginning a three-part story of international espionage:

The Assassin

To British Intelligence, he was Alexander Eberley. To the Russians, he was Krasnevin. He was succeeding at the world's most dangerous game—until he was given the assignment that turned his life into a nightmare.

By DEREK MARLOWE *Illustrated by Mitchell Hooks*

Eberley ate alone, as usual. Returning to his apartment at about six o'clock, he would shower in silence, change into something less comfortable, and sit down to a dinner-for-one prepared by an aged valet who let himself in at four o'clock every afternoon and let himself out at eight o'clock every evening. No words were ever exchanged between master and servant but "Good evening" and "Good night," except on one garrulous evening when the valet apologized for the wine. It was a happy relationship, and Eberley wouldn't have it otherwise. He was a quiet man by nature, to such an extent that his manner earned him a mysterious reputation as an outsider, a man to claim and cultivate as one's own. In no time, feasted, toasted, and courted by a bevy of open-mouthed sycophants from all the right schools, Eberley was invited as guest of honor to the best parties and functions in London, a situation that made not the slightest bit of difference to Eberley's personality, since he attended none of them.

The wine was awful. The valet had bought it cheap from a supermarket, knowing from experience that his master was apathetic about the acquired bigotry of vintages and bouquets. Eberley drank it unconcerned, as he leafed through the letters on the table. There were ten of them, mostly unsealed invitations, which were usually dropped on sight, unopened, into the wastebasket. But this evening, Eberley opened all, glancing quickly at Who or What was At Home, and then stopping on a small white card which stated simply:

Caroline Sue Hetherington
requests your pleasure
at 14 Ruston Gate, S.W.3
for some of her Amontillado Sherry.
Seven P.M. 12 August. R.S.V.P.

Eberley tucked the card into his wallet and left the table. The valet was waiting in the hall, arms extended, holding up, with professional foresight, a deep-blue, silk-lined overcoat. Eberley put it on, felt the pockets for keys and money, and then strolled back into the dining room, closed the door, turned off the light, and looked out of the window. The street was empty of people. He stood there, hands in pockets, for a long while.

Eberley was just above average height, thin in the body, and, much to his disdain, thirty-six years old. He considered it an unsatisfactory age, lacking the finesse of earlier years and the authority of later. Never one to consider his life of any great importance, he had endured the years of his youth with the frivolous abandon of a monk, retiring further and further from his fellow men as the months passed. He blundered on into the dawn of middle age, a hermetic dandy, surrounding himself only with the fetish of himself—predominantly his clothes, which he chose with exquisite and envied care, his books, his three double-barreled fowling pieces by Manton, and his collection of old Sèvres porcelain—and an utter lack of envy for his fellow man. He had the noble selflessness of a man who cares for no one but himself. Beau Brummell, the dandy, a man Eberley admired unashamedly, had that. Until he went mad.

Eberley turned suddenly from the window, crossed the dining room, entered the hall, and left the apartment. It was a cool summer evening, pleasant in that part of London with the park and the mews houses and the small squares. Eberley considered walking, not because of the weather, but because his car, a Maserati Mistral 3.7, was at present in France, disemboweled and eight feet in the air at Cuchets Garage, twenty kilometers from Lyons. A taxi stood ten yards down the road.

"Ruston Gate," he said quietly to the driver. Then he closed the door and settled back into the seat of the taxi.

It was a large room on the first floor, decorated fashionably in Art Nouveau colorings and bric-a-brac from side-street boutiques. The music was loud, but no one danced. The eleven people instead posed awkwardly around the room, clutching warm, empty glasses in their hands, and made polite comments about absent guests and the state of the Crown. In one corner, huddled on a brown velvet-covered couch, three out-of-work actors sat talking about themselves. A small, fat man in a three-piece suit stood, hands clasped behind his back, staring at the spines of the books on one wall, now and then reading out a title aloud with mock surprise to an incredibly plain girl with fat legs. The hostess, Caroline Sue Hetherington, was now squatting on a footstool at the feet of two of her male guests, dressed in a simple violet sleeveless sweater and tight deep-violet trousers, her slender arms clasped under her thighs, her head on her knees, gazing at a whippet who was asleep by her feet.

"Bosh," she said suddenly, and looked up, frowning, at Nigel, a childhood friend, who was caressing her back with his hand, "why doesn't John marry Mummy and get it over with? I mean, it's not as if she's unattractive or anything. All he wants to do is carry on with her, and all that horrid routine. I feel for her sometimes, but she won't listen. Don't you think it's frightfully unfair?"

Nigel's fingertips began moving down her back. Caroline pulled a face, moved away, and woke up the whippet as Eberley entered the room.

He stood at the door and casually looked around at the other guests.

© 1966 by Derek Marlowe. To be published under the title A DANDY IN ASPIC by G. P. Putnam's Sons.

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"Too late for whiskey, and the sherry's awful," said a small, pink-faced young man, "but if you hang on for a while, James is bringing along a pipkin of beer. Caroline never has enough in the house, does she?"

Eberley ignored him and walked across the room toward the fire as Caroline jumped up with a smile and tugged at the sleeve of his jacket.

"I'm awfully glad you could make it. Do you want to be introduced around, or would you rather be stuffy and ignore them? I recommend ignoring them, because, to tell the truth, they're all very dull and boring."

She was a short girl in her bare feet, five foot one or two perhaps, but precociously attractive. She wore her blond hair straight, curling up only within chewing distance of her wide, pale-painted mouth, and stood invariably with her small stomach forward, looking up out of violet eyes at all and every self-respecting man who longed to put her under his arm or over his shoulder. All except Eberley, who barely glanced at her, but surveyed the room openly, studying each guest in turn without expression and taking in, in detail, the absurd fracas of the décor. The fat man in the corner stared at him, waiting to catch his eye, then opened his mouth in expectant greeting when Eberley did, but remained gaping as Eberley flicked his eyes to a framed print above the man's head.

The fat man offered Eberley a cigarette, which he refused curtly, crossing to a vacant chair that was conveniently out of everyone's way near the window. It was now one minute to nine. He sat down at an angle from the other guests, facing an elderly man who gave him a nod and said, "What an excellent suit," and nodded again. Eberley considered abandoning the whole sorry affair altogether and returning home, when a soft white arm, wrist jangling with Persian charms, appeared over his shoulder clutching a full glass of Scotch, and Caroline whispered in his ear:

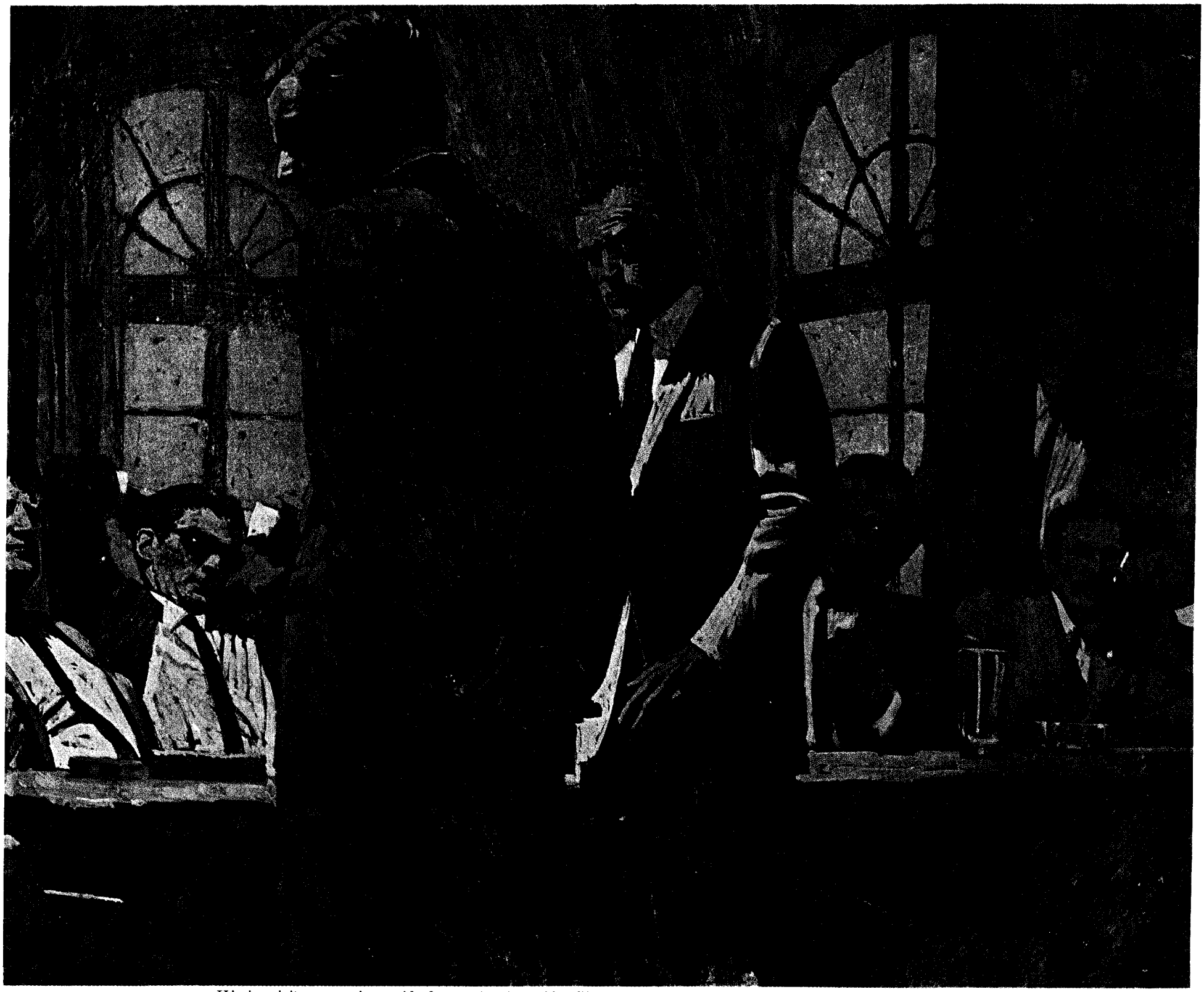
"I saved this especially for you in the hope that you might arrive. It seems silly to introduce myself now, but I'm Caroline."

"How do you do," he said, taking the glass and drinking it slowly.

Standing behind him, she rested her arm on his shoulder and whispered, "The fat man in the corner asked me if I knew you. He seemed terribly interested when I said you might come. Do you know him?"

"No."

She leaned forward, so that her hair irritated his cheek, and smiled at him. Eberley got up, walked across the room,



His inquisitors were in semidarkness. A voice said, "Sit down, Mr. Eberley. In the witness box—or is it the dock?"

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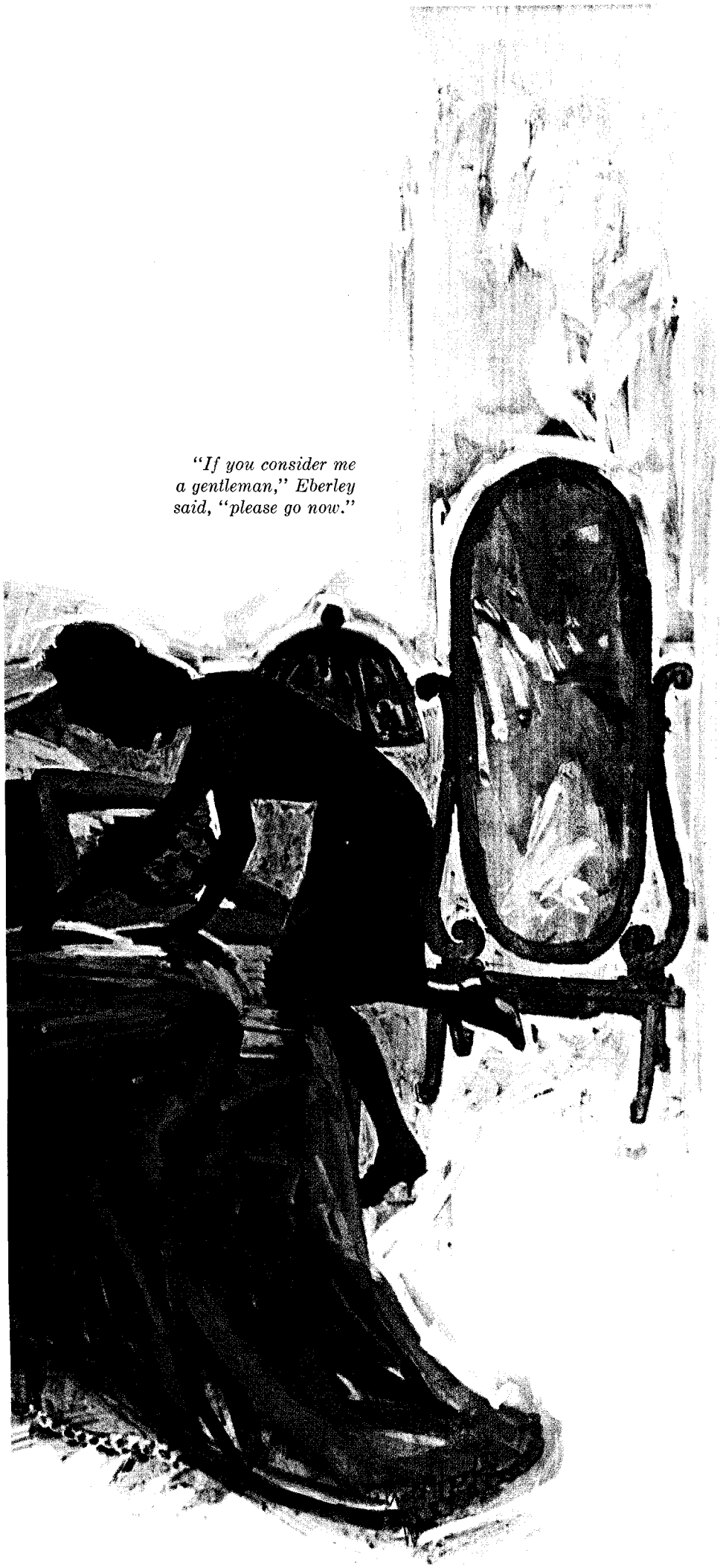

"If you consider me a gentleman," Eberley said, "please go now."

and stood before an uninspiring portrait of Prince Rupert.

"The Duke of Marlborough," said a male voice behind him, and another said, "No, it's Prince Rupert," and a pretty girl in a trouser suit said, "Prince Rupert," and then the fat man said, "My name's Copperfield."

Eberley turned and looked down at a beaming round face, squint-eyed behind spectacles. His hair was sparse, his tie Winchester, and sweat hung around his cheeks. "How do you do," he said, and extended a chubby hand.

"How do you do," said Eberley quickly, and returned to the painting.

"You're Eberley, aren't you?" Copperfield said quietly. "I've heard a lot about ——"

"Excuse me." Eberley returned to the chair and sat down again and picked up his drink. It was now twelve minutes past nine. Caroline was standing with a group of men near the piano and was listening to none of them. She looked steadily at Eberley over her shoulder and smiled, and then walked across the cluttered room toward him.

"I do hope you're not bored," she said.

"A little."

"Would you like to see the rest of the house? It's not much, but you might like it. I'll show you."

Copperfield stubbed out his cigar and stared at the two of them. Eberley said, "All right," to Caroline and followed her to the stairs.

There were only three other rooms in the house, besides bathroom and kitchen. One was a form of study where the late Lord Hetherington, Caroline's father, had begun every year his definitive biography of Edward the Confessor and contemplated his butterfly collection. The two other rooms were bedrooms, decorated in a ridiculous shade of yellow, with paper grapes cut out and stuck over the ceiling by an earnest designer friend, long since forgotten, of Lady Hetherington's. The activities of Lady Hetherington were, in fact, well known in her section of London society, as well as on a small but impishly pert Greek island in the Adriatic. She had, it seems, lost her virginity at an early age and had been offering herself as a reward for its recapture ever since.

Eberley stood on the white carpet of Caroline's bedroom and glanced at his watch.

"Well, that's about it," she sighed, "except for the john, and that's in a horrid puce color. Some odd whim of Mummy's. I'm glad you came. I feel very privileged." She sat on the edge of the bed, chewing the inside of her mouth. "I expect you're fed up with my saying that, aren't you?"

"Not at all."

She gave a quick laugh and pulled at her hair. "I don't really want to go back down there yet. I know it's my party and all that, but it's awfully dull. They always are. Oh, dear."

She pulled her left leg at right angles onto her other leg and toyed with her toes. She was indeed an eminently seductive girl, small-breasted in the right manner, and wide-mouthed and pleasantly apathetic about everything important. Eberley moved a step nearer, and she looked up at him with a wide smile and returned in inviting concentration to her foot.

He had met many attractive women in his life and, despite his lack of apparent interest, had retained his boyish surprise at the infinite variety of beauty there was in this narrow sphere. He had had a few affairs of no import in his early twenties with various fashionable girls of small minds. And then, at twenty-five, had prolonged an affair into a confined relationship that had broken the back of his cynicism toward women and had left him with a profound respect for the opposite sex, an abject disenchantment with himself, and a dark-haired young son called Jesse.

At first, after they had lived apart, he would visit her and his son with a shifting uneasiness, buying small presents, like colored bricks and bibs. And then, as the months passed, he found himself being pushed farther away, until the very district where she lived, with new friends and new patterns of speech, began to bear the exclusive properties of a sanctuary to all but himself. His visits became rarer then, as he steeled himself to blunder through the looks and questions of *his* strangers and *her* intimates, until he abandoned it altogether in a morass of self-pity and bitterness. After five years he never saw her again, though he read somewhere, or somebody told him, that she had married a property owner and was living in grand style somewhere on the outskirts of Bath.

Eberley still regretted one thing above all—that he could never be sure if he should have married her. He hadn't married her, and henceforth nurtured a bitterness toward all married people. And so he abandoned them and lived with himself, suffering only the briefest of relationships with women. Each month his bank would send a check to his ten-year-old son, whom he wouldn't have recognized in a small room, and each year he became more attractive to women in general and more forgotten by one in particular. Eberley hated it all. He stood studying the crown of hair of this girl Caroline, this child sitting before him, this small, inconsequential creature whose narrow life had hardly begun. He felt old.

"Aren't toes funny things when you think about them?—which I do never," she said suddenly, then looked up and caught his expression. "What are you thinking? Awful question."

Eberley smiled and turned away toward the window. It was now nine-forty exactly.

"I don't suppose you remember ever meeting me before," she was saying, "but I saw you when I was with Mummy in North Africa last month. You looked all sort of brown and distinguished and very English in a nice sort of way, and very super, and I asked someone who you were, and they said your name was Eberley, and you were in the Ministry of something. All very

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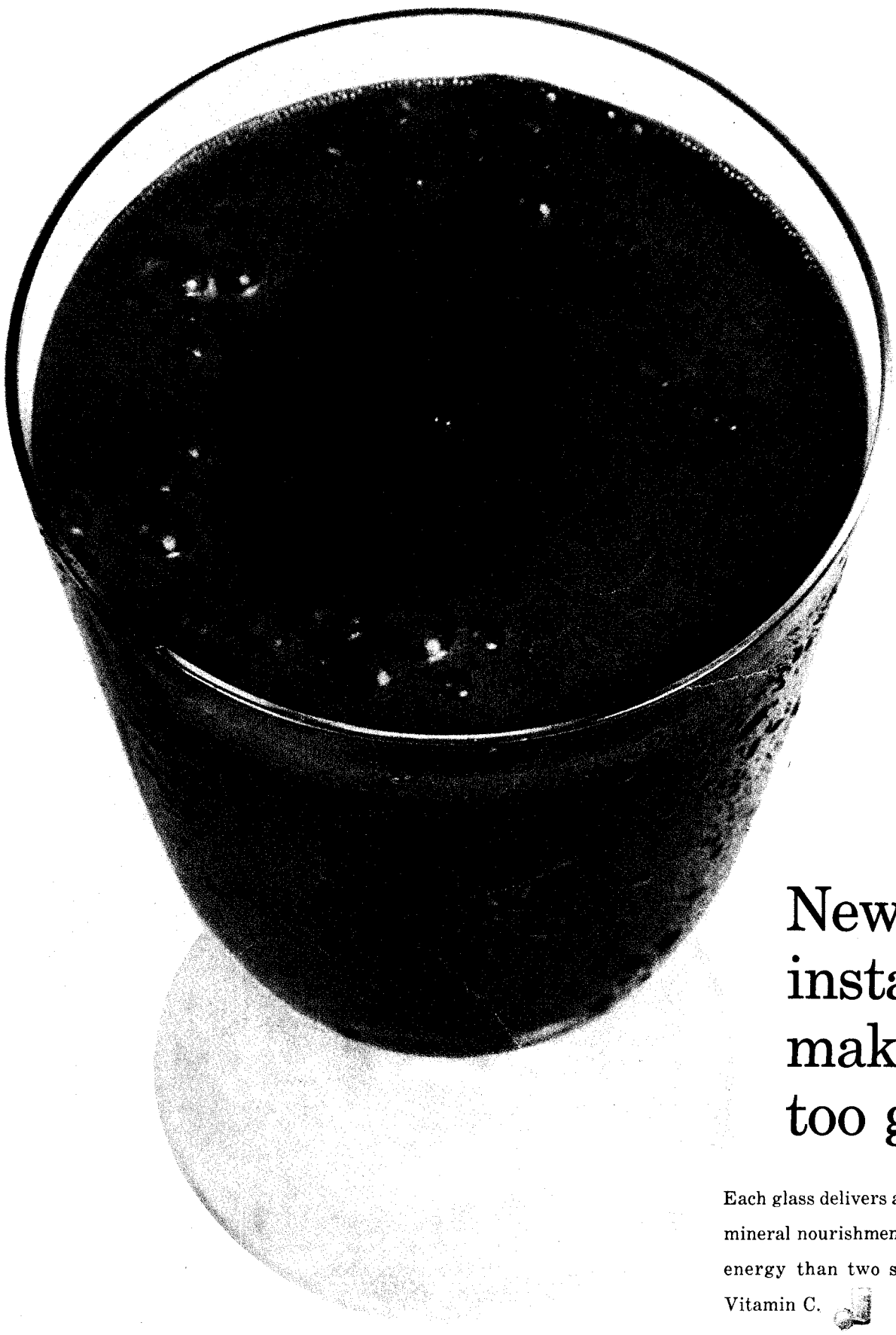

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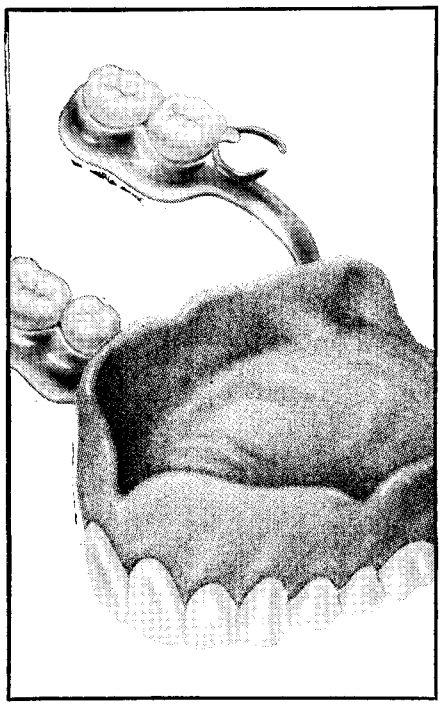

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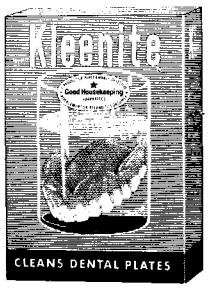

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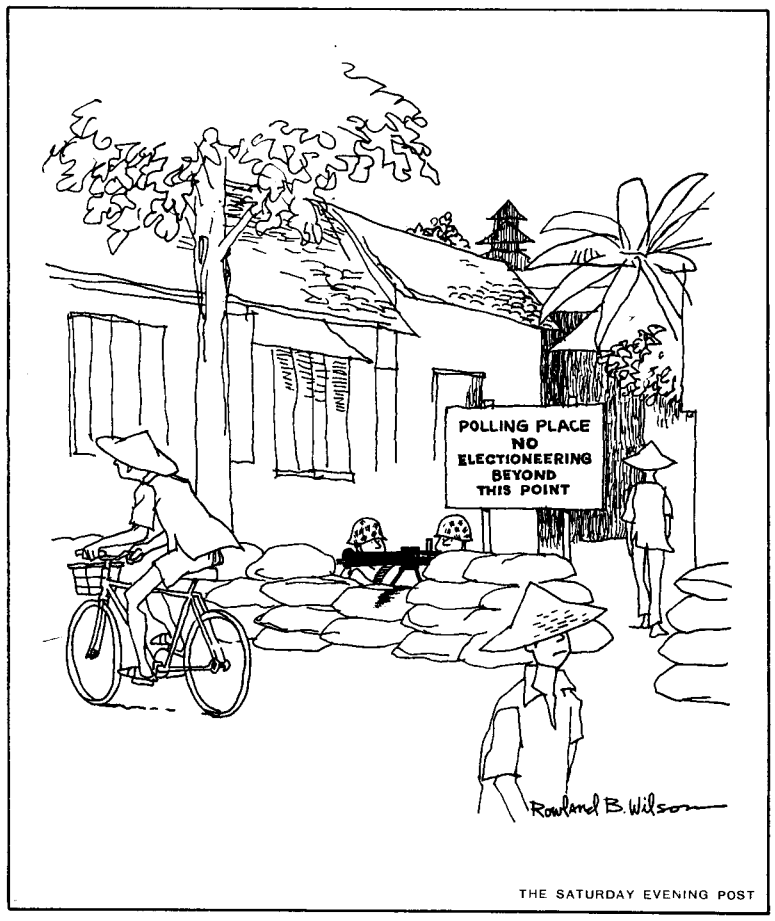

mysterious, really. Mummy fancied you like mad."

"What part of North Africa was that?" Eberley asked.

"Oh, Tripoli. Mummy's got this thing about Dido—you know, the jolly old queen of Carthage. That's Tripoli, isn't it?"

"Well, near there."

A sigh and a pout. "What *do* you do?"

"Nothing very dramatic. A desk job."

"Oh, I can't believe that. I bet it's all underhand, and night flights to Budapest," she gurgled, and stared, frowning at Eberley's back. He had to stay there eleven more minutes now at the least. It was a slight discomfort, but he could probably last out. She was quite a sweet girl but so very young, and would probably say, any minute, something like, "Do you find me attractive?" He lit another cigarette. Smoking too much, Eberley.

"Do you think I'm attractive—I mean, sexually attractive?" she said suddenly, standing up and thrusting out her jaw. "Mummy's incredibly sexy and is always involved. I'm not at all seductive, though. Am I?"

"A little. But it doesn't disturb me."

"Oh."

She looked down at herself, prodding her stomach, casting a scrutinizing look every now and then at Eberley, then at a mirror on one wall. Someone downstairs shouted, "*Caroline!*"

"I suppose you're right." She frowned finally, staring into the mirror. "I'm not really what you might call—*voluptuous*—am I?"

"Caroline! Caro-*line!*"—it must be Nigel—"that dog has messed all over Michael's coat, and he's furious!"

There was a long pause, and then Caroline shrugged and walked slowly to the door. "I'd better go down. Are you coming?"

"Not yet."

She nodded thoughtfully, gave a sudden smile, and went out quickly. Eberley heard her running down the stairs. He walked out of the room, paused on the landing, and entered the musty, dark study of the late Lord Hetherington. He closed the door, sealing out the social whirl, and studied the objects on the desk, then glanced out of the window. London was a cold city at the best of times, but retained a casual indifference to its inhabitants that was comforting. He was about to turn and leave, when a voice behind him said, "Oh, there you are."

Copperfield entered quietly, shutting the door behind him. "I thought you had already gone." He stood, smiling fatly up at Eberley, a dead cigar still in his mouth.

Eberley dropped the heavy curtains back into place and, pulling a chair out from under the desk, sat down, crossed his legs and waited. Copperfield wandered around the room irritatingly, picking up irrelevant objects. He moved heavily, breathing emphatically as if from asthma, and now and then humming to himself. No words were exchanged for three whole minutes. Eberley listened to the strained highlights of music and noise below. There was a sudden thump as Copperfield dropped the unfinished Chapter One of *Edward the Confessor, A Portrait* onto a small side table, took the cigar from his mouth, and remarked casually to a print of the Magna Charta that was hanging on one wall, "Pity about Nightingale."

Eberley pulled imperceptibly at the crease of trouser above his knees and made no reply.

"Did you ever meet him?"

"No."

"Funny chap," said Copperfield.

Eberley swung around in the chair and stood up. "I'm afraid I must be leaving."

Copperfield glanced at him carefully, then crossed deliberately to the door and leaned on it, facing Eberley and fixing him with a cherubic smile. "I've heard a lot about you, but never had the pleasure of meeting you before. Frazer thinks very highly of you."

Eberley stood in the center of the room, deadpan, and stared at a spot just above Copperfield's indecently covered scalp. The fat man gave a quick tug to the points of his waistcoat and picked at some imaginary fluff on his lower jacket. "I've always felt that you were being wasted tied down to the office. It suits me because I'm a lazy sort of chap, not one to go running around. But you always surprised me . . . you sticking it there. No ties or anything, have you?"

"No."

"No. I thought that. No ties. I'm a married man myself—well, I look it, don't I? Married. You must have gathered that from the way I was ogling the sexy little hostess. A man of your perception must have noticed that. It's very obvious. But I can't help it. I go to strip clubs. I'm that kind of man."

He looked up quickly and appraised Eberley with a diminutive smile. Eberley stared back calmly and then said, "Do you mind moving out of the way? I'm leaving."

Copperfield did mind and ignored the question. "You were in North Africa recently, weren't you?"

No answer.

"Tangiers, wasn't it?"

"Tripoli," Eberley said.

"Oh, yes. Tripoli. Of course. I don't know why I said Tangiers. Nightingale, I suppose. . . ."

Copperfield was suddenly propelled forward into the room and away from the door he had been leaning on, as it was suddenly pushed open from the outside. Caroline stood staring in at the two men in the study. "Oh, I'm sorry. I didn't know ——"

She turned to move away, when Eberley stepped forward, smiling. "It's all right. I was just leaving."

She caught Copperfield's sudden look of anger as he turned quickly back toward the door. "Do you have to?" she asked.

"I'm afraid so," Eberley said. "I have some work to do."

He brushed past her and made quickly for the top of the staircase. Copperfield shouted after him. "Can I give you a lift? I heard you smashed your car in France."

"No, thank you."

And he was down the stairs, followed by a breathless Caroline. He picked up his coat from the chaise longue as he made his way to the front door and into the street. He pulled the coat on, glancing around him. Caroline ran out after him in her bare feet.

"I'm sorry you have to go. You will come round again, won't you?"

But he didn't answer, leaving her gazing after him as he strolled cautiously down the road to the corner. At one point he glanced back and caught sight of Copperfield quickly pulling away from the study window,

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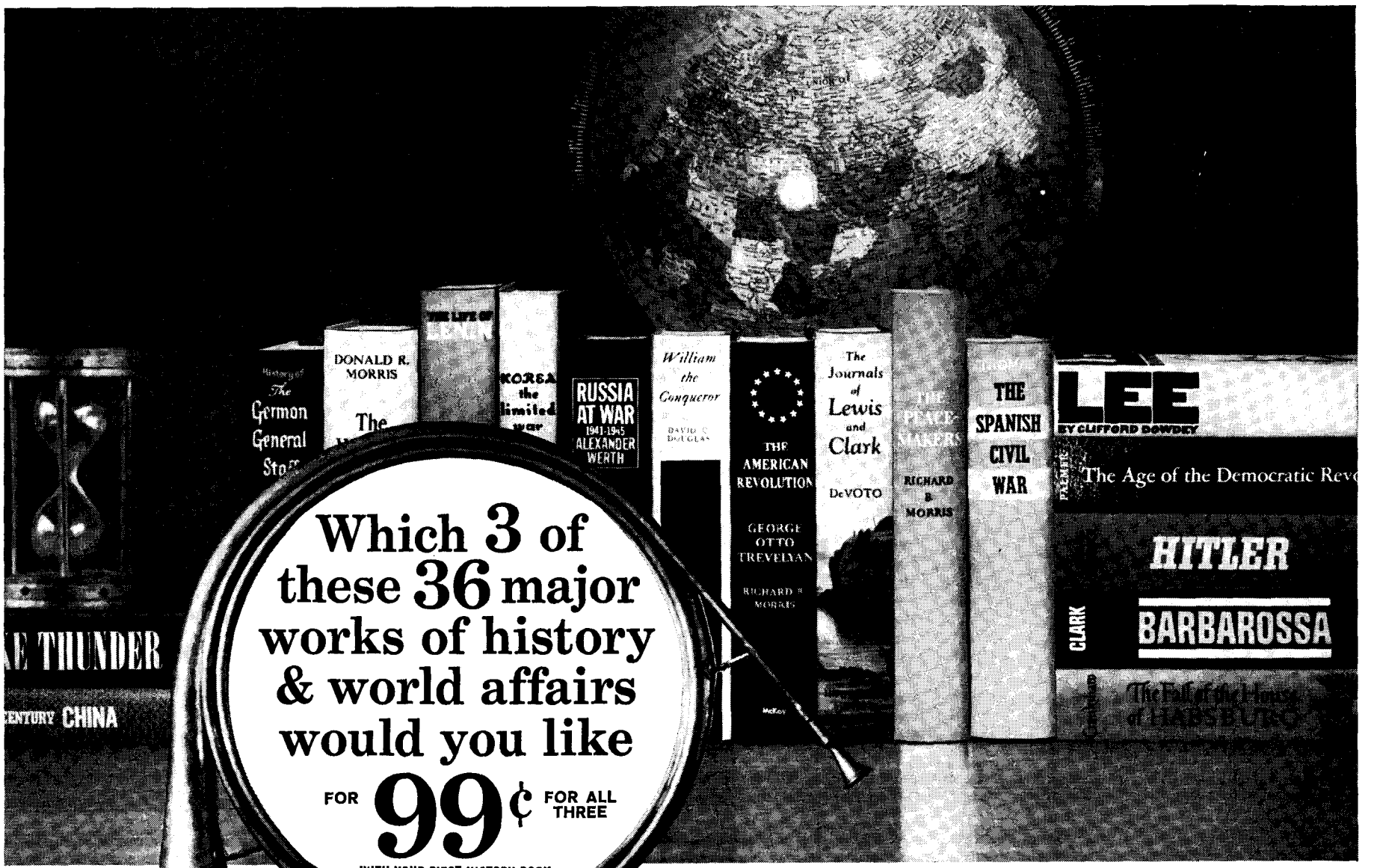

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and then a taxi lurched into range, and he was running toward it. It was nine fifty-five, and he was late.

He sat in the taxi, thinking about Copperfield. It was inconceivable that *he* was the reason that he was asked to attend the party. But who else? What else? Hardly jolly old Caroline and the ghosts of Mummy's lovers. Copperfield, then, with all his innuendos. It had to be him. Not a very subtle encounter, whichever way you looked at it—but then these things rarely were. A cryptic message by a recognized route, with the words *Amontillado Caroline* on it, and one is supposed to play along with the whole infantile absurdity of the affair. Eberley would gladly opt out of the whole business tomorrow, but it wasn't that easy. He leaned forward and told the driver to change direction and go to Victoria Station.

When the taxi stopped, Eberley paid the driver, walked quickly through the narrow corridor into Victoria Station and across the cold expanse of platform and then out onto the front of the station, climbed into a second taxi, and headed south of the river.

Twenty minutes later he was sitting, hunched up against the night wind, on a bench on the South Bank, staring across the Thames at Charing Cross Embankment, a cigarette clenched in his teeth. It was ten thirty-five, and he was five minutes over the time. He glanced around, but there was no one in sight on the tiled public terrace except two lovers on a neighboring bench, a lamp exhibiting them to the world. Eberley stared blandly at the common tastelessness of it all, ignoring the man's furious glares, wondering if the people he had to meet had come and gone. He got up and stared into the river. Perhaps he should leave now.

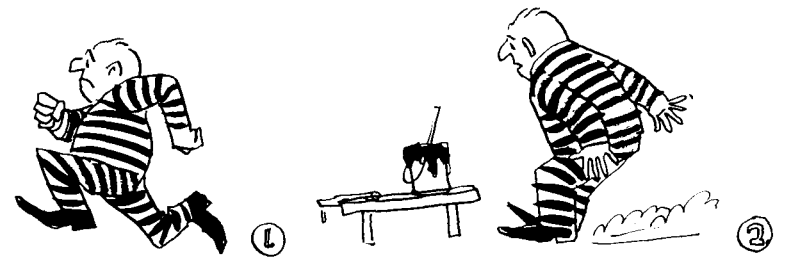
Ahead of him was Hungerford Bridge, and he peered into the dark shapes of concrete-bordered flower beds and dark recesses of buildings and trees as he approached it. He reached the bottom of the steep flight of steps leading up by the Festival Hall, and began to climb them, his footsteps resounding on the concrete, pulling himself up with the aid of the metal rail on the wall. It was quiet now and dark, and his horizon had suddenly been reduced to a square block of starred sky at the top of the steps high above him. He reached the top of the first slab of stairs, and then he saw them.

They were standing in the darkness of a small alcove, halfway up the flight, and were staring down at him, white smudges of face in the gloom. Eberley hesitated, then the two Russians began to descend the steps, and in thirteen seconds they had met. They stood leaning against the right, high wall, breathing heavily. A ship sounded off on the Thames, and one of the men said, "You were late. When you hadn't arrived by half past ten we anticipated your movements and waited here. You were watching those two on the bench."

"Yes." Eberley gave a quick shudder and said, "Do you mind if we walk up the steps?"

"Not at all."

They began to climb the steps in silence, Eberley between the two men. When they reached the top and stood



THE SATURDAY EVENING POST

twenty yards or so away from the base of the bridge, one of them said, "Krasnevin?"

"Yes?" Eberley replied.

"Why did you want to see us, Comrade?"

"I didn't want to see *you*."

"Pavel refuses to discuss it further."

"I would still like to talk to him myself."

"It is out of the question."

And the second man said, "Utterly."

"I only want to speak to him for ten minutes. He can't refuse me that," Eberley said.

"Why?"

"I should at least be worth something more than a couple of zombies like you."

The men laughed. Eberley had said the word "zombies" in English, which amused them. They laughed again and repeated the word. Eberley felt sick. He swore loudly. Then one of them said quietly, "Comrade Krasnevin, Pavel is waiting for you in the car."

The small Volkswagen was parked in a dark lane ten miles north of London. They didn't speak for a long while. Pavel drummed lightly on the rim of the steering wheel, avoiding Eberley's eye. Finally, he lowered the window on his side, leaned slightly out of it on his elbow, and said quietly, "You mustn't think that I'm against you. I'm not. I understand you more than you think, but ——"

"I don't want understanding. I don't want to be treated like a sick child or some naïve idiot who has to be humored ——"

"I'm not humoring you."

"What else are you doing, then?"

Pavel relaxed and took a small cigar from the glove compartment and put it in his mouth. Eberley lit it with a silver lighter.

Pavel was a small man, thin on top and in the body. He was ten years older than Eberley and had known him all his life. They liked each other very much and regretted bitterly the fact that they could never risk meeting together socially for a drink or idle conversation.

"Why exactly *do* you want to return to Russia?" Pavel said suddenly.

"Everything is too out of proportion

Shake hands with L.S. Green

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now," Eberley said softly. "The whole thing. I'm not objecting to what I do—no, that's a lie, but we all feel that. No. I feel caged in. It was all right at the beginning when I was younger and keen and just working for the great Kuzmich himself, but it's not that anymore. I'm working for the British as well—up to here. And it's all getting out of hand. . . ."

"You knew it would. You didn't go into it blindfolded."

"Not blindfolded, perhaps, but I had something then. I had . . ." Eberley turned away and stared at the dark fields outside.

"*What* did you have?" Pavel asked.

"Enthusiasm," Eberley replied, "enthusiasm."

There was a silence in the car; then Pavel said very clearly and without emotion, "You know what you are saying, don't you?"

Sensing the tone of the voice, he turned and caught Pavel staring at him coldly. Eberley pulled a wry face and laughed. "Oh, come now—I'm not thinking of defecting or joining the British or anything like that. Is that what you're thinking?"

"I wasn't sure. . . ."

"You know me better than that—my loyalties haven't changed. Only my attitude to my job, that's all."

"Has the killing of Nightingale anything to do with it?"

"No. Yes. No—I don't know. No, of course it hasn't."

"What about the other men?"

"Killing those men isn't the heart of it. To me it was just an expediency. No, not that. Everything's just snowballing in size every second, and I don't think, if it gets any bigger, that I'm the right man to cope with it. For my sake and for the sake of everybody, I ought to be sent back to Moscow."

Pavel reversed the car slightly, nosed it toward the main road, and then eased into the traffic. He switched on the radio and late-night BBC music trickled into the stillness of the car.

"You've been in England sixteen years now, haven't you?" Pavel asked after a while.

"Eighteen."

"Eighteen? As long as that? You must be—thirty-five, thirty-*six* now. Thirty-six?"

"Yes."

"Well, well," murmured Pavel, and then, "This is a nice piece of music, don't you think?"

Eberley had come into the country from Russia at the age of eighteen with a trunk of textbooks, ink-stained exercise books with essays ranging from *My Holiday* to *The Great Vowel Shift and Its Effects*, photographs of himself and other schoolchildren standing before the Taj Mahal, and one of him holding the ear of an elephant near Delhi, slightly out of focus. He had entered Oriel College with an impeccable background, filled with Kiplingesque memories of British India. It was a façade he had enjoyed, for he had never been near India in his life. Two years earlier, at the age of sixteen, he had entered an offshoot of Pugachev, the Soviet Military College near Kiev, and had graduated from there immediately to Oxford to assume the identity of the fictitious English boy, Eberley. The foundation work was faultless. It was part of a system instituted as long ago as 1927 by Stalin, who even then saw Communism as an international movement of subterfuge and infiltration.

"I had to tell you," Eberley said.

"Yes, I appreciate that, but I think it wise if I—forgot all about it. I'll tell Kuzmich that you would like a transfer back home and advise him accordingly, but you know our chief—I don't think he'll agree. You're too valuable here."

"Or not, as the case may be," Eberley said with a trace of bitterness. He switched off the radio.

"I'm sorry," said Pavel, after a pause.

Eberley glanced across at him. "I wish I didn't have to involve you in this."

"I'd be hurt if you didn't," and then: "Oh, by the way—how was Caroline?"

"Caroline who? You're driving too fast."

"Didn't you attend her party tonight—or is it yesterday now? Yes, yesterday."

"Oh. Oh, yes. Did you know Copperfield would be there?"

"I wasn't sure. There's a frantic turmoil there, as you've probably gathered. Might be something to do with your killing Nightingale."

They were now approaching the outskirts of Central London and leaving the main highway.

"They've been making inquiries about you," Pavel remarked casually. "Oh, pretty harmless, but with probings here and there. You know the sort of thing. Out of simple curiosity, what *did* you think of Caroline Sue Hetherington?"

"Why? Do you know her?"

"No. But I've met her mother, who is adorable."

They arrived in the small dark streets of North London at one-fifteen in the morning. The car stopped in a quiet side street, and Pavel cut the engine.

"When will I hear?" Eberley said.

"I'll talk to them first thing tomorrow. You will know in the morning."

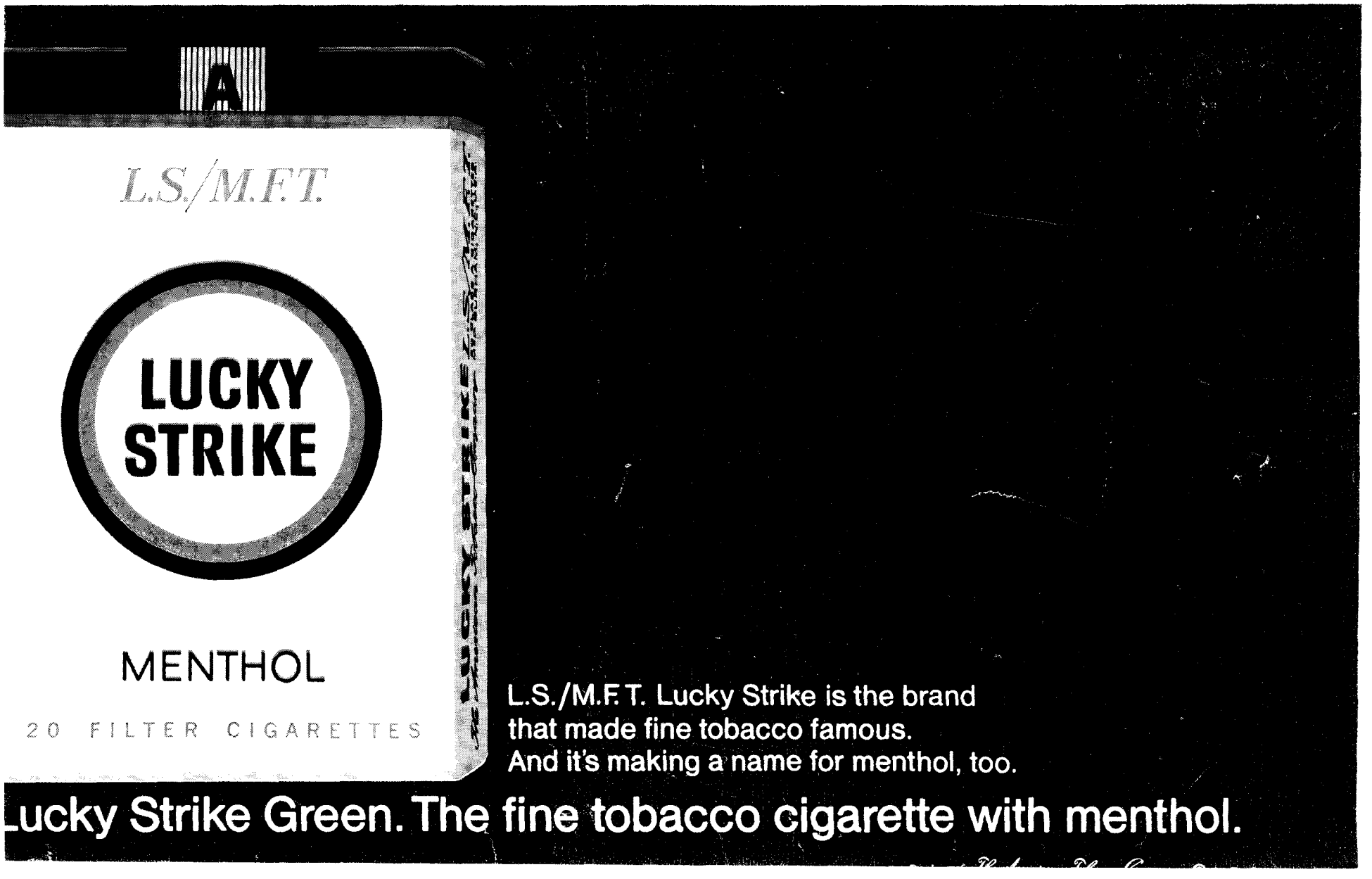
"Through Edwards?"

"Yes. . . . Krasnevin ——"

"I know. The answer will be no."

"I can't promise otherwise."

Eberley pulled the coat from the back of the car onto his lap.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"Still the dandy," Pavel remarked with a smile.

"My only vice," replied Eberley, "and all on Ministry salary."

"I should hope so. Anyway, if you ever do return to the East, you'll be a rich man."

"Ah, but there I won't be able to advertise it so easily."

He held out his hand to Pavel, and they shook hands warmly.

"I'll do all I can," Pavel said quietly and turned away to start the engine of the car. Eberley looked at the long-nosed profile of his friend, then opened the car door quickly and closed it behind him without looking back. The Volkswagen drove off abruptly, and Eberley stood in the chill August night for a moment, then put on his coat, glanced around and walked casually toward Marble Arch. After fifteen minutes he took a taxi to Park Lane. From there he walked the few yards to South Street. In ten minutes he was undressed and in his large double bed, and slept soundly for all but half an hour of the remaining night.

He was brought fully conscious by the penetrating jar of the telephone, nine inches from his ear. He opened his eyes and was horrified to find not only that it was eight thirty-five, but that it was sunny as well. He picked up the phone.

The voice on the other end of the line was high-pitched and asthmatic. Eberley recognized it at once. "What do you want, Copperfield?" he said irritably.

"Eberley?"

"Yes."

"At last. I phoned you three times last night."

Eberley pushed back the bedcovers with his foot and lay gazing at the ceiling. He tucked the telephone under his chin, and reached for his cigarettes. What day was it? Must be Friday. And the damn thirteenth as well.

"Eberley? You still there?"

"What do you want?"

"Well, it's not me, really. It's Brogue. He wants to see you this morning."

"What time does he want to see me?"

"Ten-thirty."

Ten-thirty? Too early. He wouldn't know Kuzmich's decision by then. Perhaps eleven. No, that was cutting it too fine.

"I'll see him at eleven-fifteen," he said.

"He rather hoped you could make it earlier."

"I'll be in the office by eleven-fifteen. Good-bye."

Stripping off the white silk pajamas, he walked with growing confidence into the bathroom, and showered in ice-cold water. After five minutes Eberley felt fit, if not for anything, at least for Kuzmich and Brogue. He dried himself on a rough towel and began to dress. Normally the procedure of shaving, massage and clothes took seventy-five minutes, but today, due to the hour, Eberley had to complete it more quickly. At nine forty-five he was fully dressed, more composed, and looking for his hat. He made do with one glass of orange juice, four cups of black coffee, three cigarettes and one apple. By ten-seventeen he was at the bank in St. James's, fearing the worst.

There were two men standing before the only available counter, one patiently watching the other being served. The teller's name was written in gold capitals on the open window. It read: MR. J. K. EDWARDS, who, as Eberley knew, was a small, sad-faced man who parted his hair in the middle and wore large white stiff collars and broad-lapelled suits. Eberley saw with comfort that the clock was now ten-nineteen, so he walked to the queue of two and waited. Brogue came into his mind for no apparent reason. Eberley found the thought slightly disturbing, especially since Brogue's department was concerned with off-base direct action, an area he had so far, on the British side, been kept well away from. The prospect of entering into a field of British Intelligence directly complementary to his work for the Soviet K.G.B. was slightly unnerving. But anyway, Brogue hadn't the authority to put forward such a proposition. He was only ——

"Yes, sir?"

Mr. J. K. Edwards was looking up at him with an air of pained interest. Eberley realized that the queue was now behind him. He approached closer to the counter and said, "Could I have a check, please?"

The teller replied, "I presume you have an account here, sir."

"Yes, I have," Eberley said, and pushed two pennies across the counter. The teller glanced at them, then put them on one side. He handed over a blank check, which Eberley took with a thank-you and a nod. He walked to a table, filled in the check for ten pounds to be paid to himself, and signed it *Alexander Eberley*. He returned to the counter and handed over the check, received ten one-pound notes from Edwards, and walked out of the bank. It was then ten twenty-three. The simple procedure had lasted four minutes only, and in a further fifteen Eberley was back in his flat, locking the front door and the bathroom door behind him.

With growing apprehension, he laid the ten pound notes on the bathroom shelf and checked the numbers, dismissing them in turn until he reached the eighth. The number of that was 80E 944776. Eberley returned the nine other notes to his wallet and took the selected one over to the sink. He slowly filled the sink half full with cold water, added some prepared hypo, and floated the banknote on the surface until both sides were lightly wet. Holding it by one corner, he then held it before the strong shaving light above his head, and studied the central circular design for Kuzmich's answer. It was there—carefully hidden, but there—and Eberley's pessimistic fears were confirmed. Printed in small, neat capitals barely an eighth of an inch high, in the maze of repetitive BANK OF ENGLAND, was the simple and definitive word—NYET.

Miss Heather Vogler was an appreciative girl at heart. Moreover, there was a sweetness about her face, a seductive texture that made her pleasant to be seen with at all but the most austere public and private occasions. She had discovered at an early age that men who were interested in women's clothes were rarely interested in women, whereas men who really liked women never noticed what they wore. And so, she never peacocked herself with the latest fads and kinks of fashion, but dressed imperceptibly simply, and was never without a lover. Conscious of being a woman, she had learned to cook, dance and make love with a sensible degree of aptitude; and when the affair was over, she never resorted to tears or

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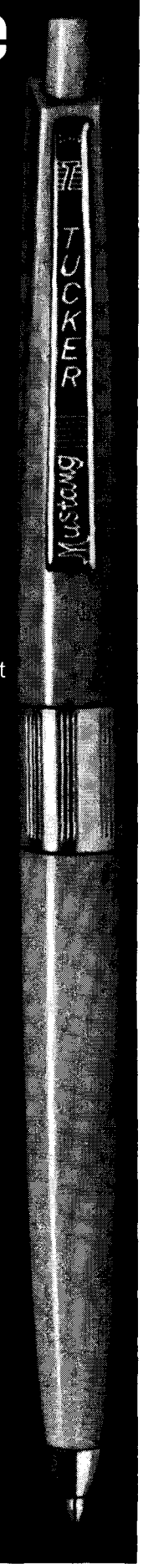

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threats, however subtle, or played on the man's weaker virtues, in order to further it for another second. She would instead leave without a grudge or offers of Platonism, wash her hair and consider again. Miss Heather Vogler was a rare, rare creature.

Then one morning, in late February, quite suddenly, that jewel, that quintessence of all things feminine, that unique girl, was crushed, made distrustful, something broken. For on that day she met Emmanuel Gatiss, and that rare individuality was over. In three months with him, there was little left, and she was transferred, a tragic wreck, to Eberley's office, and he took her in as a secretary, giving her his shoulder and nothing more.

Emmanuel Gatiss, highest-paid agent in British Intelligence, was sent by a concerned department to Istanbul and then to Munich, to pursue an operation the office boy could achieve. The trip was partly Eberley's suggestion, for he had begun to fear him, believing that if any man could reveal his cover and strike home, it would be Gatiss. Neither Eberley nor Miss Vogler, as they stood in the outer office at eleven-fifteen that morning, knew that Gatiss was to be back in London the next day. Copperfield knew it, however, and was smiling broadly as he said, "Good morning, Eberley, and how are you? I've been talking to Vogler here. We've been having a chat. Heston-Stevas and I have been having a little chat. A little bit of a parley. Haven't we, Vogler?"

He fluttered his eyes, and Heston-Stevas, his face slightly flushed, said, "Hello, Eberley. I'm afraid I pinched one of your cigarettes. Hope you don't mind?"

Eberley, quickly glancing into the inner office, said, "Where's Brogue?"

"He's waiting upstairs now," Copperfield said quietly, staring directly at the door, his face wiped clean of earlier pleasantry. "In his office."

Eberley studied the two men for a moment, then said quickly, "Vogler," turned and left the office, with Miss Vogler hurrying after him.

A faint flicker of annoyance crossed Brogue's dark-brown West Indian face, and then he smiled and glanced at Miss Vogler, hovering indelicately behind Eberley.

"Wait outside, Vogler," he told her.

"Stay here," Eberley said quietly.

The West Indian took a beat and lit a cigar slowly, taking his time, observing Eberley intently. "I'm afraid what I have to say is private. I want your secretary to leave."

"She's a private secretary. You have not the position to tell me anything she couldn't hear. We stay."

With slow deliberation, Brogue got up and walked to the other side of the room and picked up an ashtray from a corner table. "Vogler—how long have you been working here?"

"Three years."

"Three. Sit down."

She glanced at Eberley and he nodded, and then she crossed to a straight-backed chair in the other corner and sat down, crossing her legs, adjusting her skirt. Eberley remained standing, like a fulcrum, in the center of the room. Brogue walked quietly over the thick-pile carpet and stood behind Eberley, the cigar in one hand, the ashtray in the other, his great hulk towering over the other man.

"What did you think of Nightingale?" asked Brogue casually.

"I never met the man," Eberley said.

"Your work on the three men who were killed was excellent," Brogue said. "You knew, of course, why they were sent? What they were doing?"

"Of course."

"Did their deaths surprise you?"

"My relations with them went only as far as the inside of this building. I am employed as an organizer, not a guardian angel."

"Yes. Yes, so you are. I am, as you are well aware, in no position to inform you of anything not related directly to my department. But I would like to ask you two things."

Eberley poured himself a whiskey and drank it slowly.

Brogue continued, swiveling once again in the chair. "I want you to attend a conference on Monday next at Selvers. Eleven hundred hours. Will you be there?"

"Do I have a choice?"

"From me, yes. From Frazer, not one."

"Then I'll be there."

"Jolly good." Brogue paused, then said, "You weren't at Nightingale's funeral, were you?"

"Were you?"

"Yes."

"Was I there?"

"No."

"Any more questions?"

"No."

Eberley put down the glass and returned to the door.

Brogue stood up. "Thank you for coming." He smiled at Eberley, who looked at him deadpan and replied, "It was hardly worth the ceremony, was it?"

The buzzer on the desk sounded. Brogue said, "One moment," and flicked down the button and then picked up a silver snuffbox from the desk top.

"Oh, Eberley, you're interested in this type of thing, aren't you? I bought it from Carter and Beckett."

Eberley looked at it from across ten yards of carpet and dismissed it.

"I wrote to Carter and Beckett to discover the original owner. You see it has an inscription inside from George B. Apparently this chap George B. is George Brummell. The dandy."

"No."

Brogue gave a surprised laugh and added, "Oh, but yes. Beckett confirmed it."

"The snuffbox you have in your hand was made no earlier than 1880. It is too large, too clumsy and too vulgar to have belonged to George the *Fourth*, let alone George Brummell. On the other hand, it suits you admirably. Good day."

Eberley opened the door and went out as Miss Vogler crossed the office, clutching her notebook.

"Oh, by the way, Vogler," Brogue muttered quietly, without turning around, "you may be interested to know that Emmanuel Gatiss will be here tomorrow. He's arriving on the seven o'clock plane."

Eberley spent the following two days of the weekend in despair over the Russian refusal to repatriate him. Abandoning all self-imposed codes of etiquette, he banished the valet for three days, shaved never, and drank one whole bottle of sherry he found hidden among the shoe brushes. He tried twice to contact Pavel, but all contacts had been severed temporarily. He wandered wearily back to his room, pulled up a chair and sat staring at a point three feet beyond his eyes for two hours until the point disappeared because it had got dark.

He got drunk again on Saturday evening. Full of utter self-pity, he phoned the West London Air Terminal and asked the time of the next plane to Moscow. When asked his name, he froze in horror and dropped the phone, sweating, and hurried out of the apartment and stood on the end of South Street watching his own front door. Then he got even more drunk, and at ten-thirty he phoned Heather Vogler at her apartment. She answered, and he asked her what she was doing alone on a Saturday night, and she started to cry, and then he said he was drunk. She came over and sat next to him on the

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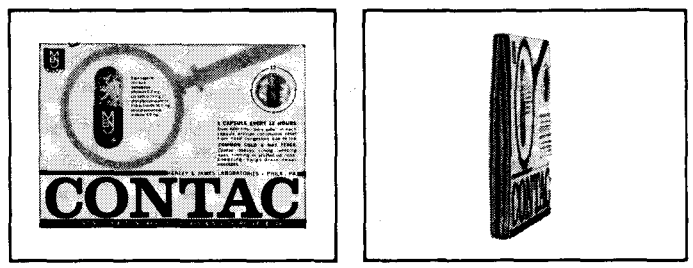

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bed and cried and talked about Gatiss, and then they both sat miserably staring at the wall.

She stood up and said, "I ought to go," and didn't move, and Eberley looked at her standing there, the incredibly soiled-pretty flower of a thing, standing there in a blue silk shift, standing there before him, and he apologized for himself, saying, "If you consider me a gentleman, please go now."

She then walked out without a word and closed the door, and he heard her in the street hurrying away, and he undressed and went to sleep. He was waked up in the early hours of the morning by Heather Vogler as she returned and said she had needed some things, and got undressed, and slipped into bed next to him. She leaned her body against his back, trying to peer at his face, but he was asleep again.

He woke up next morning alone to the sound of church bells, and then sat around again all day doing nothing, and forgot about the day and went to bed early, and woke up to find it was Monday and the day he had to go to Selvers.

THE SATURDAY EVENING POST

"At the count of three, Reeves."

At Charing Cross Station he bought a single ticket to Wadhurst and was told that he would have to change at Tunbridge Wells. As he was slowly taken south out of London, Eberley found himself considering what might be in store. It seemed frighteningly probable that he would be asked to continue Nightingale's operation, which would immediately put him in a tricky situation regarding his loyalties. His duties to Pavel were not as informer but as assassin. Some passing of information had been involved, but he knew that he had been trained to kill the secret enemies of the Soviet Union such as Esau Pretty, Ernest Lee Gulliver and Sidney Nightingale, and nothing more. This he had achieved with the minimum of difficulty. If asked to replace Nightingale, then, what to do? Eberley considered taking the train all the way to Hastings and St. Leonard's, changing his name to Smith, and abandoning the whole thing: flush it down a toilet, discard it, wash his hands of it, spit it out. But hardly a practical gesture.

The second train arrived at the small Wadhurst station at ten-forty, and Eberley got out. He was the only passenger who did. He looked up and down the empty platform, and then decided to walk. He knew that Selvers was about a mile from the station, mostly uphill, but it was a fine day and a pretty town, so walking would not be too disastrous. He strolled casually past a row of coal bunkers and then up a steep hill toward the core of the town. He had just reached the top, sweating slightly, when a voice behind him said quietly, "Sir?"

He turned and saw a small, dark-haired man in a chauffeur's uniform, smiling up at him. Behind the man was parked a black Zodiac with the two curbside doors open.

"I thought I might have missed you, sir. You are Mr. Eberley, are you not, sir?"

"Yes," replied Eberley. "Yes, I am."

The chauffeur smiled and gestured to the car. Eberley nodded and walked back to the Zodiac and sat in the leather back seat. The chauffeur swung the car into the center of the road and up over the crest of the hill.

Ahead, Eberley could see an old clock tower, reading ten fifty-five, that suddenly emerged from a thick copse in the valley below. That must be Selvers. In two minutes the car was plunging down and entering under a red-brick archway into a small quadrangle and parking neatly between a maroon Rolls-Royce and a gray Jaguar Mark X. Poised in one corner stood a steel-blue Jensen with a dented fender. Eberley recognized the Jensen. Gatiss was here. Eberley climbed slowly out of the Zodiac.

The building surrounding him looked like an old baronial manor or a small exclusive school for the rich. He could see that it was completely cut off from neighboring farms and bungalows, lying snug in a dip in the Sussex Downs, and guarded by dogs, no doubt, at night. But now, this morning, it was rather pleasant, and he admired the leaded windows and the tall ornate chimney stacks.

There was a click, and a small door opened in a corner of the square, and two men in dark suits appeared in the

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sunlight, screwing up their eyes against the light and talking rapidly to each other in high voices. They both saw Eberley at the same time and stopped, silent; then the taller of the two smiled and walked toward him across the gravel, hand outstretched. He was shouting, "Hello, hello," then shaking Eberley's hand and saying, "So glad you could make it," as if he were welcoming him to a cocktail party or a hunt.

"My name is Lake and that is Keats. If you just follow me, we'll take you to the rooms. Did you have a good journey? You've never been to Selvers before, have you? Mind the grass, since it's newly seeded just there. What a beautiful day. *What* a beautiful day."

Into the sudden darkness of the interior of the building and along a broad oak-paneled corridor hung with dull portraits, Eberley followed the two men who were chattering to each other ahead of him and occasionally glancing back at him with a smile and a comment. They reached, finally, a long ground-floor room and entered. It was a billiards room of sumptuous opulence, decorated in pale pink and gold, and lit by streaks of blinding sunlight. Dominating it was a white-marble female nude, standing bent forward clutching at frozen, fallen draperies. She looked with wistful apathy at the expanse of green-baized table at her feet. Eberley entered the room cautiously and was puzzled to find it empty. He stood by the blackened fireplace and turned toward his guides. The two men hovered at the door, making no attempt to enter, and Lake said, "Drinks over there in that brown thing. Glasses there, too. No ice, I'm afraid. Oh—try to avoid playing billiards if you possibly can, because it's not—well—desired. Read a book if you like. Gibbon is there, I know. And some others. Do you like Thackeray? See you later."

THE SATURDAY EVENING POST

"I wish you wouldn't try to order in French."

The door was slammed. Then there was silence. He had been left alone.

One hour and thirty-five minutes later he was sent for.

"Mr. Eberley, gentlemen," Lake announced, and turned back and waved him in with a flick of his hand. Heston-Stevas closed the door behind them, and Eberley, steadying his nerves, paused to study the occupants of the room. Only the faintest touch of sunlight came through the windows so that the eight or nine men seated around a large table were in semidarkness, as if they were forcing mushrooms or taking part in an obscure séance. Lake took Eberley's arm and led him to the head of the table.

"You probably know all here, Mr. Eberley, if only by name. Mr. Quince. Mr. Brogue, Sir Alistair Pond, Mr. Frazer, Colonel Flowers, and at the far end, Lieutenant Ridley and Mr. Moon. Oh, and over there are Mr. Heston-Stevas and Mr. Copperfield."

There were imperceptible nods and grunts and scrutiny, then Lake said, "Please sit down here, Mr. Eberley. In the witness box, so to speak. Or is it the dock? Ha ha."

Eberley sat stiffly in the chair, adjusting his eyes to the gloom, attempting to pick out any telltale expression on the still, impassive blur of faces. He noticed that Emmanuel Gatiss wasn't there, and was somewhat relieved. Copperfield, the perfect foil, broke the silence: "Did you have a good journey, Eberley?"

Eberley looked around and picked out the speaker by the slight glint of glasses and fatness of the belly.

"Pleasant, Copperfield. Pleasant. A train journey."

"Pity about your car. So useful, aren't they?"

"Yes," Eberley replied. "However, I ——"

"You've wrecked your car?"

The voice was unfamiliar and bit across the dialogue with searing attack. It had come from Pond, a thin, bony man with piercing eyes, on Eberley's left, who was not asking any idle question. This isn't a tea party, Eberley thought, not in any way at all. The question was repeated.

"I asked if you had wrecked your car."

"Not exactly wrecked ——"

"Speak up. We can't hear you."

"Not exactly wrecked. I was in-

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volved in a slight accident while driving through France."

"What do you mean, *slight?* Is the car with you?"

"No, but ——"

"It had to be serviced?"

"Yes."

"Then it was not *slight*. Please be accurate, Mr. Eberley. What happened to your car?"

"The front was smashed in."

"A head-on crash?"

"No. I swerved to avoid another car and deliberately drove into a tree. A poplar, I think, but can't be sure. It was a question of expediency."

"Expediency? You deny that it was your own fault?"

"Not exactly, but I could not have avoided the situation. I felt at the time that I did the correct thing."

"And now? Do you think you did the right thing now?"

"Yes."

He felt all eyes watching him. Colonel Flowers leaned forward and asked casually, "What type of automobile do you drive, sir?"

"A Maserati Mistral, Colonel."

"But that's not an English car, is it?"

"Italian," Copperfield said suddenly from across the room. "It's an Italian sports car. Very fast. People race them."

"I see," said Colonel Flowers thoughtfully, and then, turning back to Eberley, "Do you race yours, sir?"

"No."

"Yet you drive fast, sir?"

"Yes, but then I consider myself an excellent driver, Colonel."

There was a pause, and then Eberley said distinctly and with careful pronunciation, "I am quite sure that you have taken every effort to study my file, so you could not have failed to have noticed the K109 Report I completed regarding the accident. The facts are all there, gentlemen. But may I suggest that if this barely visible cabal has been assembled solely to discuss my driving qualities, I would be very happy to take each one of you for a short spin and so demonstrate my capabilities at no extra charge."

There was a silence, and the men in the dark room glanced at one another. Eberley lit a cigarette with a table lighter. Frazer, sitting opposite him, spoke for the first time. "No, we didn't ask you here to discuss motoring. On the contrary, if you'll be patient just a little longer, we will tell you all you wish to know. . . . Ridley?"

He nodded to Ridley, who pressed a button at his elbow, and a rectangular screen lit up on the wall behind Frazer's head. On the large screen was projected the face of a full-mouthed young man, dark hair falling over the right temple, staring out at the onlookers with surprise through clear, wide-spaced eyes.

"Sidney Nightingale," said Ridley, and he pressed another button. The screen was wiped clean, and a second face appeared, this photograph obviously taken candidly, for the face was slightly out of focus and was turning, mouth open, to talk to someone now cropped out of the slide. The face was of a man of about forty, eyes lined heavily, and a large nose slightly bulbous at the end and underlined by a thin moustache.

"Esau Pretty," stated Ridley.

The face was wiped off to make room for a third. Here was a different man altogether, a more mature man with cunning but intelligent eyes, thinning hair, and a heavy mole on the right cheek.

"Ernest Lee Gulliver."

The lights were turned on, dazzling the occupants of the room. Then turned off again.

"You no doubt recognize the men?" asked Frazer.

"Yes," replied Eberley.

"And know, of course, that they are all dead. That, in fact, they were all killed."

"Of course Mr. Eberley does. A fact like that is hardly likely to escape his— meticulous attention."

Eberley turned quickly to see the speaker, and saw, with a jolt, that it was Emmanuel Gatiss, who was now sitting straight-backed in a chair against the far wall, arms folded and smiling steadily at him. Gatiss was a tall man, strongly built, and sun-tanned. His face was broad-jawed, high-cheekboned, with an arrogant nose. Blond hair cut stylistically short. No rings, wrist bracelets or tie clips.

"Good afternoon, Eberley."

"Good afternoon," replied Eberley, and turned away.

It was becoming hot in the room, and sweat was forming on the men's faces. Eberley studied Brogue, sitting quietly in profile to him, puffing at a cigar with that ridiculous holder of his. The West Indian sensed that Eberley was observing him and glanced out of the corner of his eye but said nothing. There was a strained atmosphere that seemed to affect everybody, for they had become restless and fidgety, and Copperfield had even gone so far as to unbutton the top button of his shirt. Leaning over to stub out a cigarette, Eberley glanced back at Gatiss and found him gazing in his direction with intent scrutiny.

"You are aware, no doubt, of the details of *Hesperides?*" Frazer was saying, and Eberley looked up and across the table.

"Yes, sir. As far as my department itself was aware."

"If I may interrupt, sir," Quince interrupted with an ingratiating whimper, "the actual operation itself is really not the meat of our program. It is Top Security and—well—there are unauthorized persons present who ——"

"I am well aware of that, Quince," snapped Frazer. "I would like all but Eberley, Quince, and Colonel Flowers—and, of course, Gatiss—to leave the room."

Immediately, Lake hurried to the door and ushered the others out into the anteroom. Gatiss didn't move but remained seated against the far wall in shadow. After the door had been shut and the sounds of departure had faded, Frazer straightened his back and walked back to the table.

"Would anyone care for a drink? Eberley? Would you like a drink?"

"That would be fine, sir."

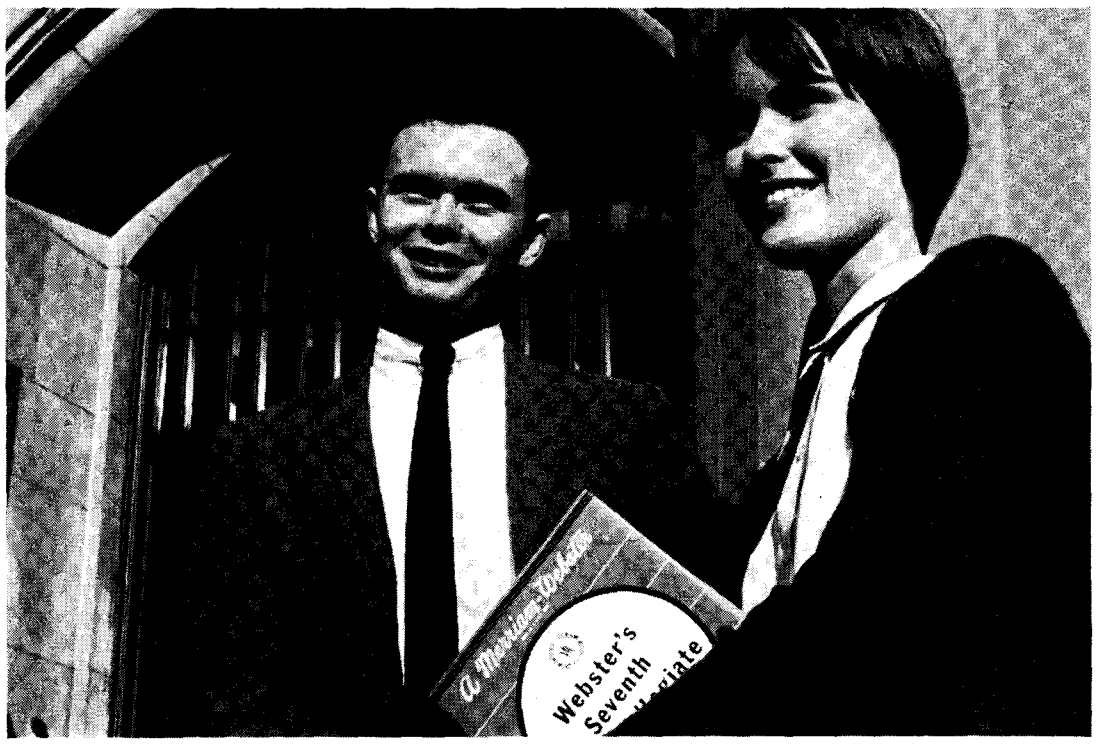
"Anyone else?"

There was no other demand.

"Quince, get Eberley a whiskey, will you? And make it a large, sensible one. And one for me too. No point in ignoring Ministry expenses."

There was a slight murmur of polite amusement. Frazer smiled and coughed and tapped his pipe forcefully on the polished veneer of the table. "Now then, Eberley, I'm sorry to have kept you hanging about so long in the dark, but you are no doubt well aware that we all have thought very hard before asking you to come to Selvers. I'm not going to go into the whys and wherefores of why you were selected. The very fact that you are before us now should be sufficient. I have long admired your efficiency and, may I say, devotion in your work. Now, as Quince has said, the actual operation *Hesperides* is not the core of the matter. What *is* the core of the matter is that the success of *Hesperides* has been severely impeded. Not once, but three times. So, in my book, what is required first, before we can reliably send out a successor to Nightingale, is the elimination of that impediment. All right so far?"

Not at all all right so far, thought Eberley. If they didn't want him to take over from Nightingale, what the hell did they want?



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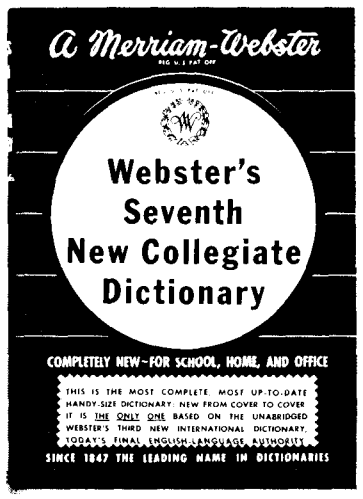

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"You mean you don't wish me to follow through with *Hesperides*, sir?"

"No."

"I'm afraid I don't understand, sir."

"We're not asking you to understand, Eberley," Frazer continued. "What we *want* you to do is find out where the impediment is."

"By impediment you mean ——"

"The assassin."

Eberley set down the brimful glass of whiskey he had just been given, attempting not to spill it. Steadying his voice, he said as casually as possible, "You used the word 'where,' sir. Does this mean that you know who the assassin is?"

"Well, we believe it to be the same man each time. Purely theory, of course, but a pretty fair guess. You see, we've known for a while that the Russians have been infiltrating assassins into our system, and the man we want is obviously one of these. The choice of victims and methods bears this out, obviously. What we want you to do is find out where he is, and let us know. We'll do the rest. We don't even want you to touch him in any way or make yourself known to him, but just keep in the background. You've proved to us how efficient you are in Research J matters, and we believe you'll make a damned good job of it. Moreover, it's a fair chance that you're not known to the Russians and so can travel more easily."

"Do you have any—strong lead on this assassin, sir?"

"No. Not really, except that we know who he is."

The ceiling dropped possibly six inches. Eberley asked Flowers to pass the lighter, then plunged forward. "Who, exactly—is he, sir?"

"Oh," replied Frazer almost flippantly, relighting his pipe, "does the name Krasnevin ring a bell at all?"

Eberley leaned back in the chair, holding a cigarette in his right hand and sipping the whiskey. He was conscious of Gatiss's eyes boring into the back of his neck. "No," he said.

"Well," Frazer said, "I didn't think you'd have heard of him, but we have been informed that Krasnevin is probably our man. He's the chappie we want you to find. Now, don't give us an answer now. Go outside for a stroll, have a look around, and think about it. Remember, you're under no obligation, and let us know your answer in half an hour. All right? Any questions?"

"No questions, sir."

"Good. We can decide details if and when you decide. Shall we adjourn?"

"One moment, sir—if I may be so impertinent as to ask Eberley a question myself."

The sharp, clipped voice came from the corner of the room, and Gatiss stood up and walked slowly to the table.

"Not at all, Gatiss. Go right ahead."

"Thank you, sir. It's just a point of curiosity." With almost impertinent indifference, he said quietly, "When you were on the way here to Selvers, this morning, did anything of interest occur?"

All heads turned toward Eberley, and he smiled, puzzled. "Anything of interest?"

"Was there something that happened that shouldn't have happened, or vice versa? It's a perfectly simple question and shouldn't be too difficult for a trained man like you."

"Well, I saw two cows in a field just near Sevenoaks," replied Eberley with a grin, and the others gave a small laugh in chorus.

"Oh, really?" said Gatiss, without a trace of humor. "Were they Frisian or Jersey?"

Their eyes locked as Gatiss looked down fixedly at Eberley. The three other men straightened their faces and fidgeted.

"I'm perfectly serious, Mr. Eberley. Perhaps I ought to give you a clue if you want to consider this a parlor game. You were met by a chauffeur, were you not? Just outside Wadhurst?"

"Yes, that's right."

"I'll repeat my original question. Did anything of interest happen to you today? Something abnormal?"

"Not that I remember," replied Eberley steadily, reaching for the drink.

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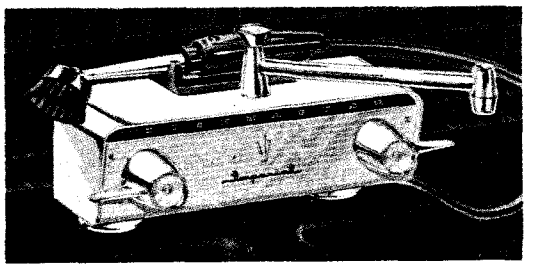

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"Then I say you should remember. Did the chauffeur ask you for your papers?"

"No, he ——"

"Did you ask him for his?"

"No, I did not."

"Why not, Mr. Eberley? Isn't it one of the first rules of our profession to check every person contacted, and never take anyone for granted?"

"Yes, but I took the chauffeur at face value for rational purposes."

"Why did you?"

"Because, Mr. Gatiss, I can't think of anyone else who would know my whereabouts sufficiently to be at that particular spot at that particular hour with a car to take me to Selvers. Can you?"

Gatiss smiled and surveyed the table like a lord at a medieval feast. "I can think of several, Mr. Eberley. Several."

He walked slowly toward the door, pausing only to turn back to Eberley and say, "Let me give you a particle of advice. We're playing a dangerous game, you and I. I insure my health by trusting no one, no one at all. I don't trust you, Mr. Eberley. Good day." He left the room, closing the door hard behind him.

There was an embarrassed silence. Eberley knew he had made a mistake and had been ridiculously stubborn about it.

"I'm afraid Mr. Gatiss is right," he said to the others with conscious humility. "It was foolish of me."

"Indeed it was," replied Frazer, "but I'm sure it was a rare occurrence. We are grateful to Gatiss, however, for bringing it to our attention. Shall we meet here in half an hour and hear Eberley's answer, gentlemen?"

He stood up and left the room, followed by Flowers and Quince. Waiting till he was on his own, Eberley walked downstairs into the quadrangle, breathing in the fresh air deeply, and then out of the square, under the arch and down onto the fresh grass, onto the grass of the fields, and into the peace and comfort of the downs.

The terrace was more an open yard than patio, a concrete floor under the sky. Lunch had been served, had been eaten, and was now a pile of dirty plates and scraps on two small tables. Eberley noticed that it had been some form of salad and was angry at not having been invited. He picked up a spare chicken leg from a tray and stood chewing it, ignoring the others. They were all there, smoking cigars and drinking brandy, laughing and chatting among themselves. Gatiss, sitting alone, smiled at Eberley and threw some untouched slices of ham to a hungry dog at his feet.

"Ah, Eberley, didn't see you there." Frazer smiled, beckoning him over to the table and gesturing to the other men. Eberley crossed to the table, nodded, and was offered a seat.

"Have a good walk?" asked Frazer.

"Yes."

"Lovely around here, isn't it?"

The terrace had grown quiet, and all concentrated on minute matters, stubbing out cigarettes, sipping coffee or brandy, wiping brows, straightening ties. Brogue, Copperfield, Heston-Stevas, Ridley, Moon and Lake stood up, made their apologies and left quickly. Eberley continued picking at the chicken leg.

"Are you hungry, Eberley?" inquired Quince. "Had you not eaten?"

"Yes, I am, and no, I hadn't."

"Oh, dear. Well, we won't keep you long."

"If I may come to the point," said Frazer quietly, keeping his voice out of earshot of the house and of Copperfield, who had approached conspicuously near the terrace. "What is your answer, Eberley? Do you agree?"

"Yes," replied Eberley. "Yes, I do."

There were immediate smiles on the faces, and Frazer nodded twice, saying "Good, good," and Gatiss himself gave a brief smile, then walked to the edge of the terrace and glared at Copperfield, who moved away, saying, "Hot isn't it?" and stumbled over the root of a tree.

"May I ask one thing?" inquired Eberley, glancing across at Frazer.

"Oh, do. Do. By all means."

"Why haven't you chosen Gatiss rather than me? Surely this is more his line, sir."

"Well, it is and it isn't. We had considered him, of course, but he has other business to deal with first. Of a more direct nature. Believe me, he won't be neglected."

"I see."

"Good. How's the brandy? Oh, you didn't have any. Well, let's get down to details, shall we? We suspect that Krasnevin, our man, *your* man, was in London, but we believe that now he has left and is in Germany. Probably in West Berlin, but we can't be sure. Anyway, that would be your first base, and since you know it well and can speak German, an ideal base."

"Why do you think he's in Berlin, sir?"

"Good question. Well, as I said, we can't be sure, but we're anticipating his movements. We're assuming that he hasn't just stopped his plans, but is waiting for his next victim. That man would be Gatiss."

"Gatiss?"

"Why so surprised? I would have thought that was obvious. He is involved in *Hesperides* too, and not only that, he is known to the Russians—on unfavorable terms, of course. Gatiss has been in Munich and Berlin for the past months, and will be returning there. Our Krasnevin, if he is as clever as we think he is, will surely be there too. Do you not think so?"

"I'm prepared to accept your theory, sir."

"Not blindly, I hope."

Eberley walked slowly across the concrete and stood five yards from Gatiss. Neither said anything for a moment, then Gatiss, without turning his head, asked, "Confident, Eberley?"

Eberley looked down the terrace edge and across at the speaker, who was standing with his arms behind his back, dark glasses pushed forward down the nose, the sun-tanned jaw pointed up arrogantly.

"I haven't thought about it."

Gatiss smiled to himself. He stepped off the concrete onto the grass, and walked down and around the corner of the house and out of sight.

"Eberley?"

It was Frazer's voice. "Follow us downstairs. I want you to see something."

Eberley turned and joined the group.

"It's a photo," Frazer said, "a photo of Krasnevin."

(TO BE CONTINUED)

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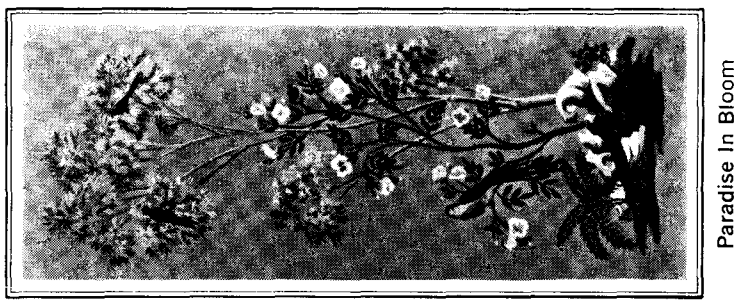

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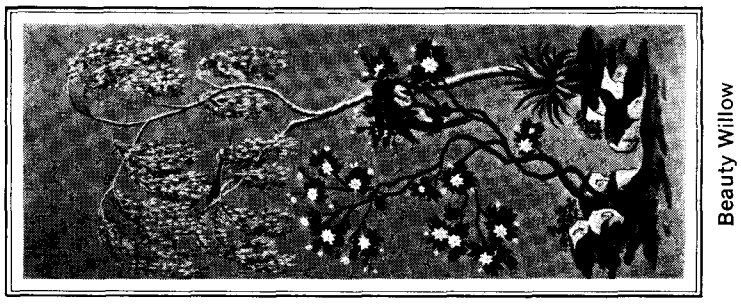

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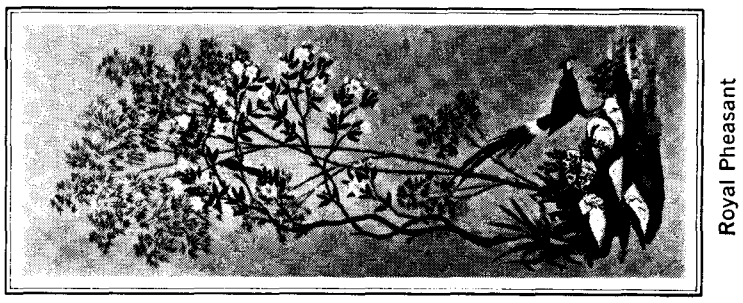

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When she was 16 and grown up she thought she knew
It took her 15 years to find out that she didn't

ROSE WHITE AND

None of this may be the way it happened, but it is the way I remember it. I am sure none of the people it happened to remember it right either, because people never do. Things are real because they seem that way. And so we live all our lives remembering it the way it seemed.

When I was sixteen I entered college, and I knew several things. One: I would eventually receive my first kiss on the mouth and it would have to be from a boy I loved. Two: I would be torn at by dirty fingers in the front or back seat of cars and I would tear them away and remain clean. Three: I would try my best to get married before I graduated, because there were no boys back home and there were hundreds of them at college, all available. Four: If I did not marry, I would remain a virgin until I was twenty-one, because twenty-one was the age of wisdom and consent. Five: Everybody was a virgin, except for certain boys who had been treated to trips to Europe during the summer holidays. Six: After I graduated, if I was unmarried, when I reached the age of twenty-one and had had my first lover, I would then have fifty lovers, write their names down on a private piece of paper, and after that I would give up sex completely and relax in the knowledge that I had not been entirely undesirable and that I had lived a full life.

From this list it is obvious that the wholesome precepts we had been taught in the '40's about Rose White (the virgin) vs. Rose Red (the fallen woman) put so much emphasis on pure, clean Real Love that they blotted love entirely out of our comprehension. The kids today may be cool, but they are not half so cool as we were. We talked a great deal above love, but we did not have more than the slightest idea what it was.

This is what happened to my list:

1. My first kiss on the mouth was from a boy I detested, who was the president of his college fraternity and who had obviously never kissed a girl before, although I was not to realize that until several years later. The boy I was really in love with did not get up the nerve to kiss me until Christmas vacation, a kiss I cherished for months.

© 1966 by Rona Jaffe. This is an excerpt from a chapter of the novel THE CHERRY IN THE MARTINI, to be published in late September by Simon and Schuster.

2. I will avoid any discussion of the dirty fingers because I am too embarrassed.

3. The only man who proposed to me while I was at college was an assistant professor and much too old for me. Besides, he told me that if we got married he would expect to cheat and that I could do the same, but that this would in no way affect the quality of our devotion to each other. I did not marry him.

4. I remained a virgin according to plan.

5. Most of the boys I dated had, indeed, been virgins until that trip to Europe, or at least they told me so, but here begins my story. It is sad, I think, because it concerns two vulnerable, confused human beings, myself and the boy who was my best friend at college, and because in a way we loved each other, although neither of us was prepared to understand that, for love was many different things to both of us, none of them warmth and communication and security and laughter—the things we had together.

I was eighteen and a junior. He was a senior, but he was about twenty-four or so, because he had been in the CIA. My friend, whom I will call David, was very tall and thin, and he liked only thin girls, the thinner the better. He told me years later that he was always looking for a girl thinner than himself because he thought he was ugly, but at the time I knew only that I was fat and unattractive. He told me once, "You have the kind of figure that would be a Miss America, which most men like, but I just happen to like them skinny and flat-chested."

He took me to dinner every other night, and often telephoned me between times just to talk, or dropped by my dormitory to see me. The other girls, except for my closest friends, assumed he was my boyfriend, and they thought I was lucky, because he was sophisticated and intelligent and funny. Actually we were both in love with other people.

The girl David thought he loved would have nothing to do with him, which was, I think, why he loved her, for she was not at all skinny and she never moved her lips when she talked. She smoked a lot, I remember, and was quite pretty in a locked-in sort of way. Most of our dinners together were spent with David telling me how much he loved this girl and how she had seemed a little kinder the night before, or had perhaps spoken a little more warmly to him that morning in class. I was jealous and bored, but I was flattered that he wanted to confide in me, and so I pretended to be very interested in every detail of this nonromance. Finally, one evening as I was gorging myself at the glamorous grown-up restaurant where he had taken me, David said, "I'm always talking about myself. You never talk about you. There must be somebody *you* like."

Was there? I did like someone, but he hardly knew I was alive, and besides, I had been brought up to know that girls bored boys by talking about themselves. I said there was someone, but that I didn't want to discuss it. He insisted. Finally I confessed. Well . . . there was this boy . . . he looked like Heathcliff . . . very dark and poetic, long hair, kind of funny clothes, ascots and things . . . a sad childhood . . . sensitive and shy . . . and he didn't take out any of the girls from school, just once in a while some prep-school blonde who arrived in Harvard Square with a baby-blue suitcase. As a matter of fact, I was madly in love with this Heathcliff, as were several other girls, but he was so hard to get. At last David and I

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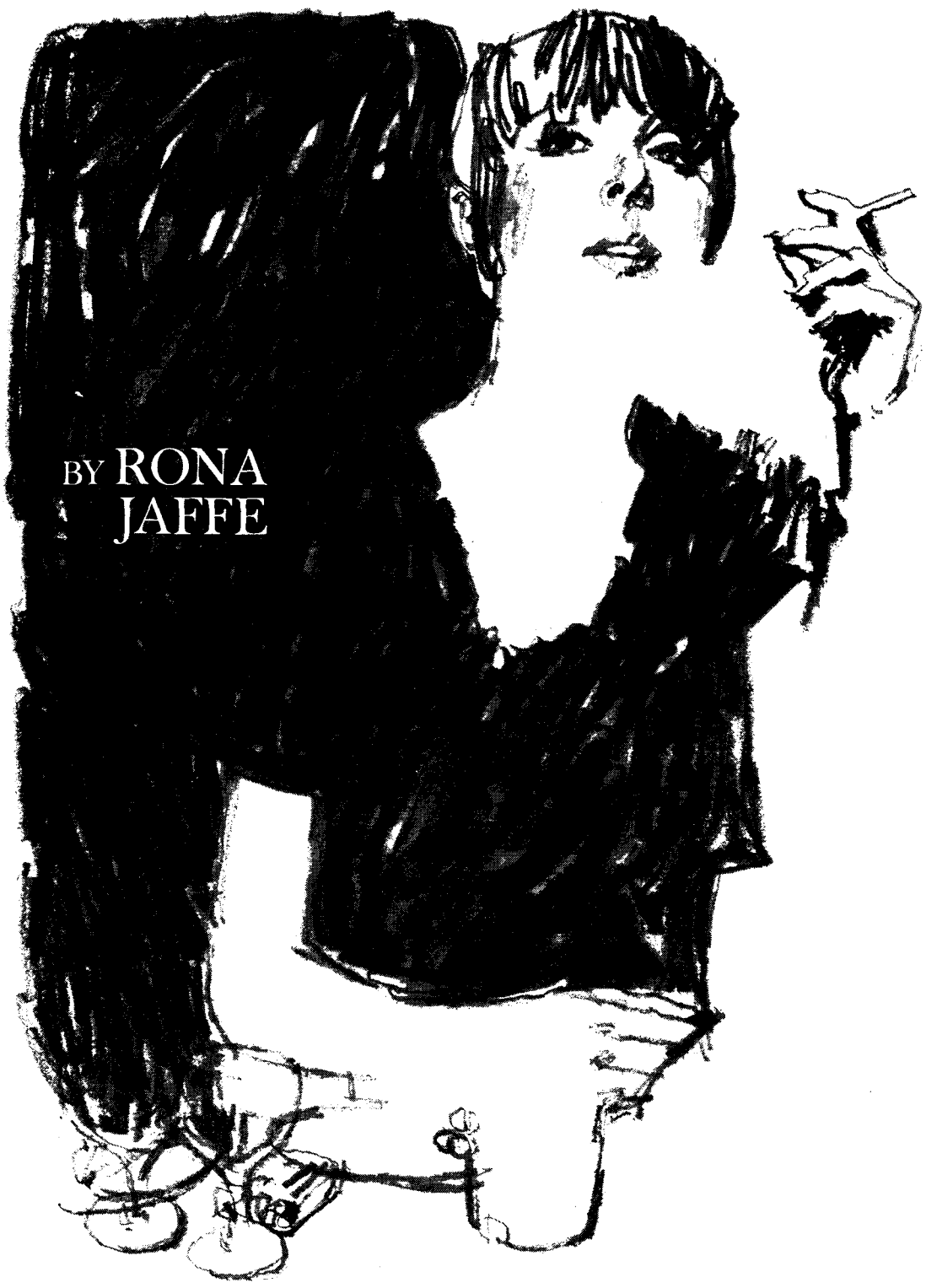
all about love and friendship.
even know the difference.

ROSE RED

BY RONA JAFFE



could suffer together. It was such a rewarding feeling that I think I embellished my romance just to please him, and my crush from afar became the grand passion of my life, at least during my dinners with David.

During that winter I had only one date with Heathcliff, if you could call it a date. He wandered by my dormitory, found me there almost by accident, and we went into the little room where they kept the Coke machine. We sat on the floor next to the Coke machine, he with his coat on, and he told me that he was very unhappy all the time, but he would not tell me why. He seemed to be about to cry. I tried to think of something understanding and womanly to say. I said, "Go ahead and cry, it will make you feel better. Go on. I don't mind."

His face got darker, as if everything inside him was twisting, and then he managed to spill a few tears, but not enough to make anyone feel better—only enough to embarrass him so much that he ran out into the snow and never came to see me again.

I wrote my mother a long letter in which I said that Heathcliff didn't know I was alive, and that I loved him, and that I was obviously worthless, and she wrote back that *she* loved me. David couldn't figure out what was the matter with Heathcliff when I told him about the stingy tears at the Coke machine, but at least I had something to report. And then I introduced David to his real love.

She was the thinnest girl in the entire school: absolutely straight, with a body like an arm. He saw her across the living room at the dorm and asked me to introduce him to her. I did, and they made a date for that night.

How can I describe her? She was cool, blondish, quiet, dressed in tweeds and cashmeres, came from an intellectual family, had gone to a fashionable boarding school, was from the Midwest, was, as I have said, terribly thin and bosomless, and looked just like what my mother would have thought was a Rose White. On their first date she insisted that David make love to her, which he did—flattered beyond words—and then she told him that she was in love with him. Naturally I was fascinated and asked David all sorts of stupid questions.

Where did you go to do it? They were building a new dormitory on the Quadrangle, and inside the partly finished building, which had rows of cement-floored future bedrooms and was deserted at night, was a beehive of illicit sexual activity.

How come she didn't get pregnant? David was embarrassed at that, but he mumbled that he had managed to take care of things. Anyway, she was now his girl, and they were in love. Or at least, she was in love with him, and he found her body irresistible and her love for him wonderful. He planned to take her away for a whole weekend.

During the previous summer he had been a counselor at a boys' camp, and the camp was now deserted, rustic and beautiful with snow-covered trees and, best of all, cabins with beds. It was not difficult to get away from college for a weekend if you were not afraid: All you had to do was write in the sign-out book the name and address of a fictitious relative whom you were going to visit. For me it would have been frightening and incomprehensible, but David's girl was very calm about it and actually wrote the name of a real relative—an uncle in New York.

They returned on Sunday night in time for supper, he went back to his dormitory, and I found myself sitting next to Rose Red alone at a table in the dining room. I kept staring at her, wondering why she didn't look guilty or different. She was calm and talked to me about various things, none of them the weekend that had just happened. I don't know if she knew that I knew about it. I remember it was late, and there was nothing left to eat but a big bowl of potato salad with wilted lettuce, but she ate heartily while I mangled my lettuce with my fork and kept wondering why she hadn't changed. Were there other girls like her, who slept with boys and still looked just like everybody else? Could I ever do it?

David took me to dinner again a night or two later and said, reluctant and a little embarrassed, "Look . . . you've always been my best friend, but now that I'm in love with her . . . well, she ought to be my best friend. You and I will still see each other, but we can't confide in each other the way we used to, because now I've got to confide everything to her."

I said that was all right, I understood. I was sorry but not surprised, for I knew that love had to encompass friendship as well, and besides, now that he had a girl who loved him, he would have nothing to confide. I supposed there were things they would tell each other—deep, adult things that I was not yet to be privileged to know—and I wondered what they were and felt sad. But love was everything, we all knew that, and in a way I was relieved not to have to make up lies about my love for Heathcliff anymore, because it had always been David whom I cared about, even though in an entirely different way. I was glad he had found a girl who loved him, and although I had been thoroughly indoctrinated that a man would never love a girl he had "ruined," I knew she had long since been "ruined" by somebody else and that David didn't mind at all.

In the spring, when David was about to be graduated, they became engaged. The wedding was planned for the summer, back in her hometown in the Midwest, and she would either quit college altogether or finish school wherever David's work took him. Although he and I were still friends, I hardly ever saw him. Whenever I did he was very tender with me, as if he hoped some-

Drawings by Mark English

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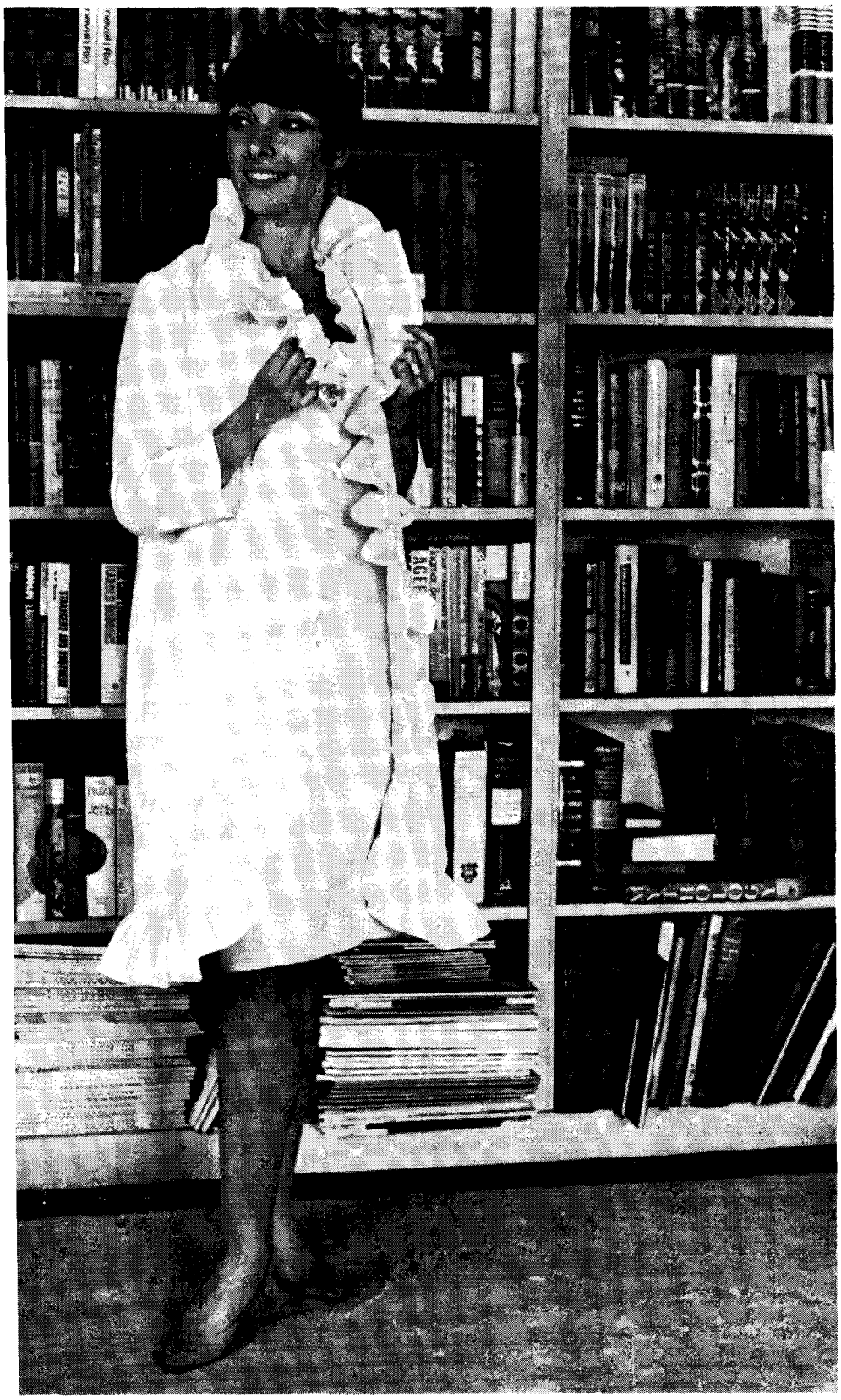

Rona Jaffe in her New York City apartment.

ROSE WHITE AND ROSE RED

A friend is a friend. That is all. We had lied to each other, but we would not lie now.

thing good would happen to me before he went away so that he would not have to worry about my life. He was the only boy who knew how shy I really was: All the ones I dated were so insecure that I had them completely fooled.

A year later I graduated, and armed with my Radcliffe-Harvard diploma, which told me I was now an educated woman, I went home to live with my parents.

When it actually happened is not clear in my mind; I remember only the morning when the wedding invitation arrived in the mail; and taking it to read alone in my room, sitting on the blue bedspread, reading and rereading that invitation, I was sure that some monstrous misprint had changed David's last name. It was the engraved invitation to the wedding of Miss Rose Red to Mr. David Somebody Else. For a few days I actually considered making the trip, partly because I was flattered, and partly to see for myself if it was a misprint or someone else she was marrying. I finally decided against going, but for months the memorized name of Mr. David Somebody Else stumbled in my head, until I felt disassociated from reality. From the real David I heard nothing.

He was in New York, I was in New York, but once back in my hometown the fears and shyness of my childhood overcame me as if I had never left, and so for two years I never saw anyone from college again. I found a job in a company that published paperback originals; I read manuscripts; I learned to converse, flirt, and drink with grown-ups, to stay out overnight and lie to my parents, to keep true to the lie even through my mother's insistent cross-examining, to fear the world outside, and even more to fear the world at home. I dated a succession of Nice Eligible Young Men (lawyers), and Catches (doctors), and young men Who Might Have a Nice Friend (textile magnates). They all terrified me. I went to a million nightclubs, danced a million dances, drank a million whiskey sours, had my hair done a half million times, and stared out of my bedroom window and my office window for hours, thinking of nothing. My mother read the Sunday *Times* and saw the Catches slipping away.

"You could have had him," she would say, as the photograph of a martinet-faced, waved-haired rich girl would appear over the announcement that another of my young doctors had been taken.

"I didn't ever want him," I would say, "and he didn't want me."

My mother always ignored this. "You could have had him," she would repeat, "if you had tried."

I looked up David in the phone book and wrote him a letter. "Are you rich, are you famous?" I asked him. I told him of the stories I had written that had finally been published in magazines. When we had been in college together, the literary magazine, of which he was the editor in chief, had always rejected my stories and poetry. I had never been upset by what I considered their pretentious intolerance. I knew that when I grew up I would continue to write, and that I would write a novel, and everyone would love it, and everyone would finally love me. I had told him that and he had laughed.

By mistake I had sent the letter to David's father. David was out of the country, and he received it months later. He never answered it. I figured that was a sign he was indeed rich and famous—and married. I was right about all three.

Girls liked my stories. I was at a dance once, with a Catch—a young doctor—and a girl came up to me and told me rather shyly how much she had liked my latest story in a magazine. She turned to him. "You must be very proud of her," she said.

He looked down at me coldly. "I have never read any of her stories," he said, "and I never will."

Ambition fuses in a series of moments like that. I knew he was resentful and I hated him for it. I will publish more stories, I thought, and become a much better writer, and *more* people will like me; and then I will never have to go out with you again.

Another one of my Eligibles, who had hung around for years, liked to tell me, "You're just Marjorie Morningstar. You think you're going to be a writer, but you're not. You'll end up married and living in Scarsdale."

Suddenly from my college world, where marriage and suburbs and at least five children had seemed the height of satisfaction, I was living in a world where it was "just" marriage, and the unhappy ending to a few years of grandiose pretentions to something more exciting. I was being re-educated. People said to me that of course when I married I would stop writing, as if writing were a harmless little hobby I had taken up to appear interesting enough to find an educated husband.

During the day I went to my office, and at night and on weekends I wrote. I wrote and wrote and wrote and wrote. I rewrote. I tore up. I retyped. I cut. I rewrote. I threw it away. I wrote and saved my money and waited. I threw away rejection letters, even though they were nice and encouraging, for they made me sick with rejection, and I wrote and had more stories published, and then I quit my job and stayed home and wrote all the time, and rewrote, and got nicer rejection letters. And then one day I was promised that if I handed in 150 pages of a novel I would get a contract. So I said, "I'm moving into my own apartment on September first. Give me one month to get it decorated and then I'll start the book on October first." That was summer.

On September first I moved into my first own apartment, six years after I had graduated from college. A year later my first novel was published, and everywhere people appeared from my past to remind me that I had told them I would write a novel someday and that they had laughed when I told them.

People invited me to parties. I went—terrified, afraid they expected me to be interesting. At one of these parties I met David, with his wife. She seemed shy, and nice. He had not married Rose Red, and the invitation had not contained a misprint after all. He and his wife had two children. He said I must come to their apartment for dinner soon. I said I would be delighted to. We did not see each other again for seven years.

Then one morning my phone rang. He never asked if it was me, and I never asked who it was: We both simply started talking as if we were still in college and it was just one of our daily phone conversations. Except for those few words at that party seven years before, we had not spoken to each other for fourteen years.

We made a date to meet for lunch. I suppose he was curious; certainly I was. There were some things I wanted to find out, for we were both older now, and we could talk about the past as if it was an amusing story that had happened to someone else.

While I was dressing, and making up my eyes with special care, it occurred to me that I had lost twenty pounds since we had been in college. I was now one of those Thin Girls he admired so much.

I realized he had been married for a long time, and I knew about some men who had been married for a long time, for I had dated them. I was a grown-up

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now, with my own life. I wondered if we would fall in love. I didn't particularly want to, but still, I had seen so many things that anything was possible; and when you think about a very special friend of your youth, when you were too young to understand your feelings, you wonder what will happen now that you are in control of your words and looks.

I recognized him instantly. He looked exactly the same—perhaps ten pounds heavier, which was to the good. Neither of us was shy or embarrassed. But we had a drink immediately, so perhaps we were.

As we filled each other in on the past, I felt like someone who has been away on a trip. A trip into life perhaps, and now I was back with my old friend, armed with my new polish and knowledge. I wanted to ask him what had happened to Rose Red, but he brought it up first.

"Remember that awful romance? I never loved her," he said. "I never even liked her. Actually I couldn't stand her. But she kept talking about love, and badgering me to get married, until finally, just to keep out of an argument, I seemed to have gotten engaged to her.

"I really liked you," he went on. "You were the one I cared about. But you were so shy. . . . You were the shyest girl I ever met. You used to blush. Do you still blush?"

"No," I said, and blushed.

"With her it was just sex," he said. "We didn't have one single thing in common. There was nothing we could talk about without an argument. But there was the sex, and she insisted she loved me. . . ."

"You always told me I was too fat."

"Oh, I always looked for the skinniest girl around, because I was so skinny. It made me feel more equal. I never thought you were too fat. But who could make a pass at you? You were so shy."

I ordered another drink, although we were looking at our main course, neither of us eating it.

"You were the kindest person I ever knew," he said. "I don't think people realized how vulnerable you really were. Do they know it now?"

"Some," I said, suddenly feeling all the beautiful and good things a fulfilled woman is supposed to feel. I wished men would always sit beside me and tell me how kind and vulnerable I really was.

"But then you didn't marry her," I said. I told him about the wedding invitation and what I had imagined. He laughed at that.

"It's really a dreadful story," he began. "She had gone home to make plans for the wedding, and I realized that I couldn't go through with it. So I called her and told her to come back to New York because I had to talk to her. We met in Grand Central Station. She brought some relative with her—an aunt, I think—because she suspected something terrible was going to happen. There was a Schrafft's in Grand Central Station, I remember, and we went there, and I told her I couldn't go through with the wedding.

"She dissolved into tears, and they went right back home on the next train. We never even got out into daylight."

We sent the food back barely picked at, and ordered coffee with two kinds of brandy in it. The waiter put a tray of small, wrapped hard candies on the table, and I began surreptitiously putting them one by one into my purse.

"Here," he said. "If you're going to do it, do it right," and he poured the entire contents of the tray into my purse and motioned the waiter over to refill it. I liked him for that, because it wasn't the kind of restaurant where you dared do that kind of thing.

"And now?" I said. "You're married."

"It sounds like the kiss of death to say this, but you'd really like my wife. She's very shy, but when she finally likes you, she really *likes* you. I hope I'm not making you hate her by saying this, but you and my wife would get along together very well."

"And how many children . . .?"

"Four," he said. He told me their names and ages. "And you? There must be someone you like?"

Echoes . . . echoes.

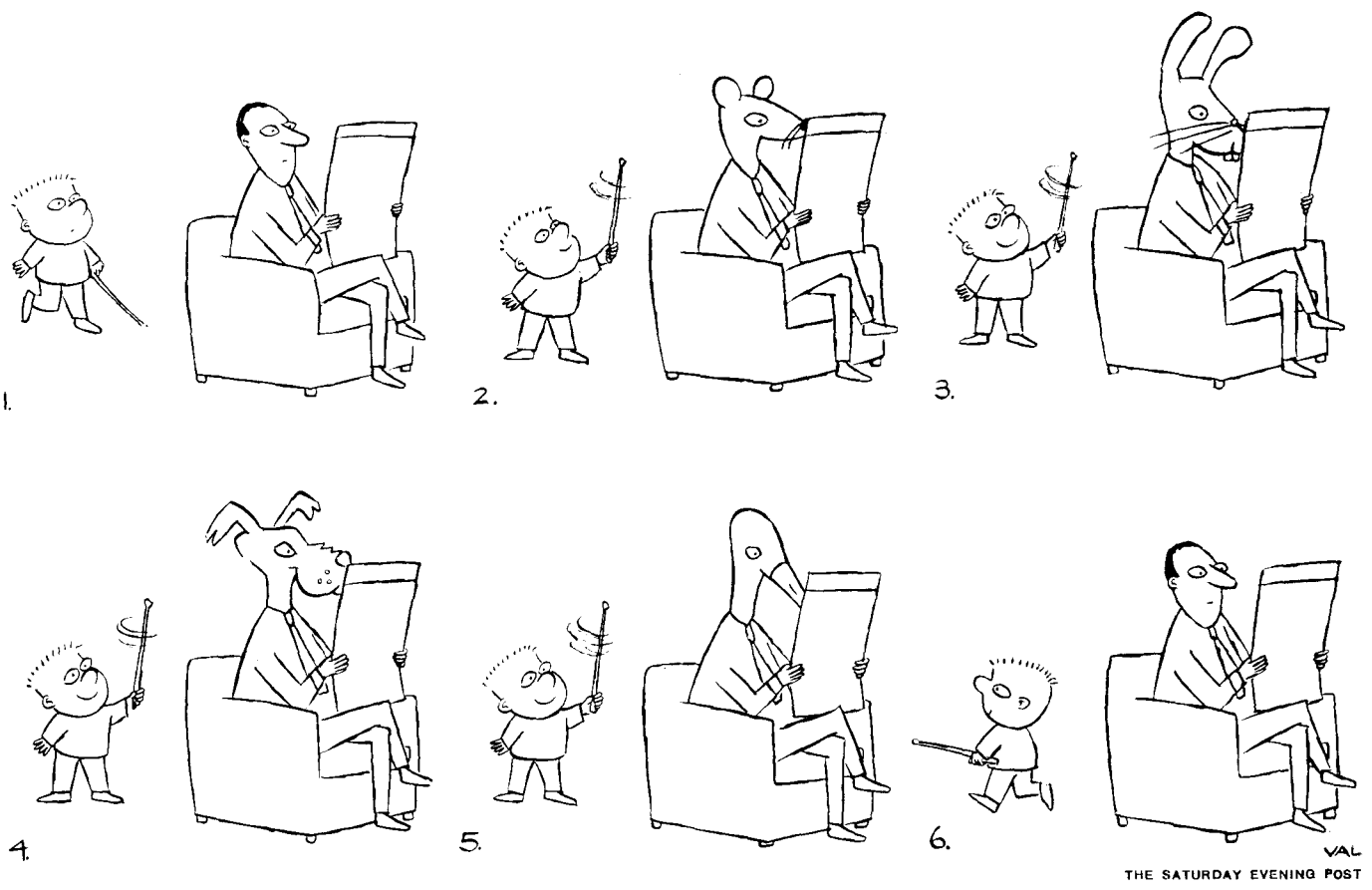
"Yes. . . ." I had to force myself to begin, for confiding about temporary happiness always comes hard to me, as if giving it a name would make it disappear. But as I started to tell him, I suddenly felt proud, and I realized that for the first time in my life, although it was premature to hope, I was really falling in love. As much as I feared the confidence would make everything reveal itself to be a myth, like my Heathcliff of the old days, I felt stronger as I talked; and even as the bittersweet fear rested on my tongue, I knew I had joined the human race.

"We will meet," he said. "The four of us."

"Yes, we must do that," I said.

When we left the restaurant, he bought me a five-dollar jar of mustard, because I had admired the jar it came in and said I would like to put a flower in it. He was happy, grand and successful. He was kind. He was the only man all through these years who had noticed that I was kind. And I knew that now, when all things were possible because we were grown-ups, it was not possible that anything between the two of us could change.

A friend is a friend. That is all. That is all, but that is all you should want. We had lied to each other, but we would not lie now. He was my friend, whether or not there was someone else waiting, whether or not there was need to be consoled or satisfied. Some things in life you cannot ever change, and given the chance, with all the powers of a wicked and hungry mind, you do not want to change them, for as they are is the way they were meant to be. □



THE SATURDAY EVENING POST

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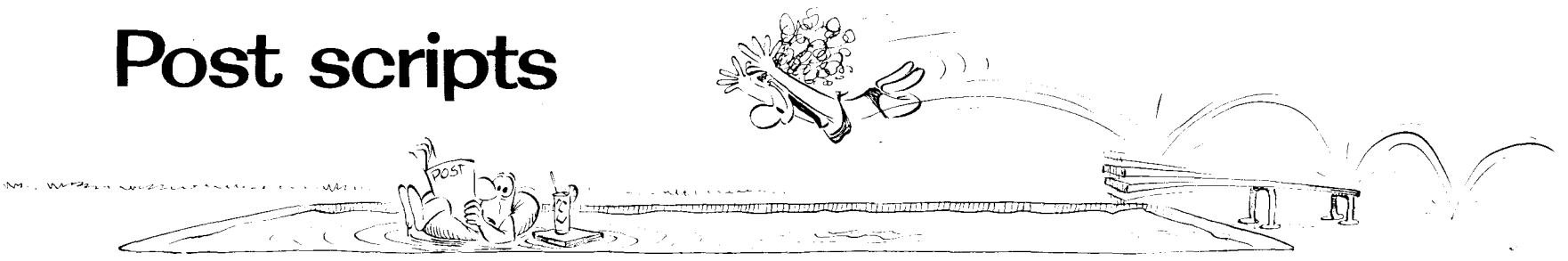
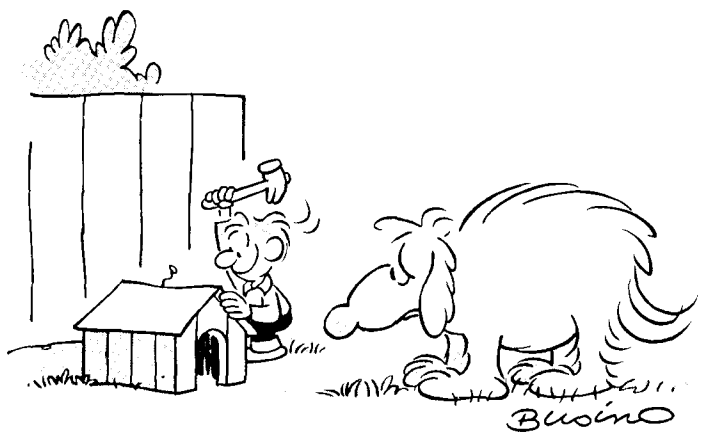
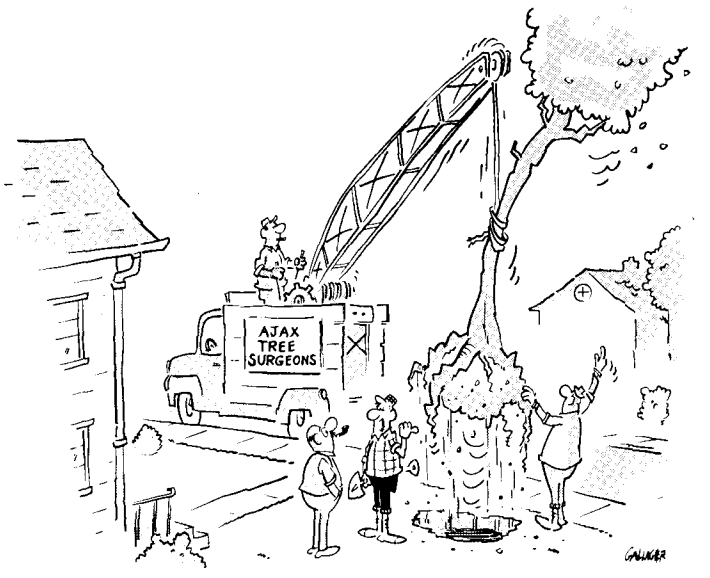
Post scripts



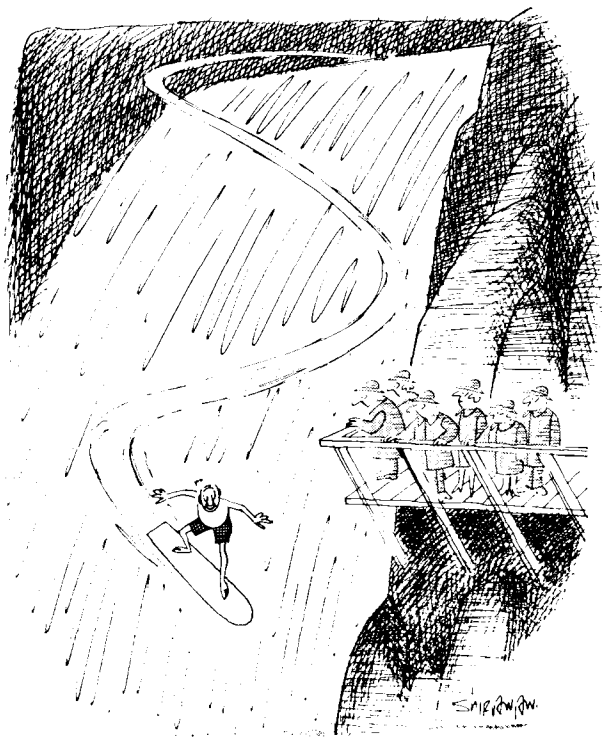


"So you decided to make up, eh?"

"Don't forget, dear, Mama's having real cutlet tonight for supper, fixed just the way you like it!"



"I'm afraid we have to take it into the shop."



"Madam, your husband volunteered for my 'Punjab Vanishing Man' spectacular."

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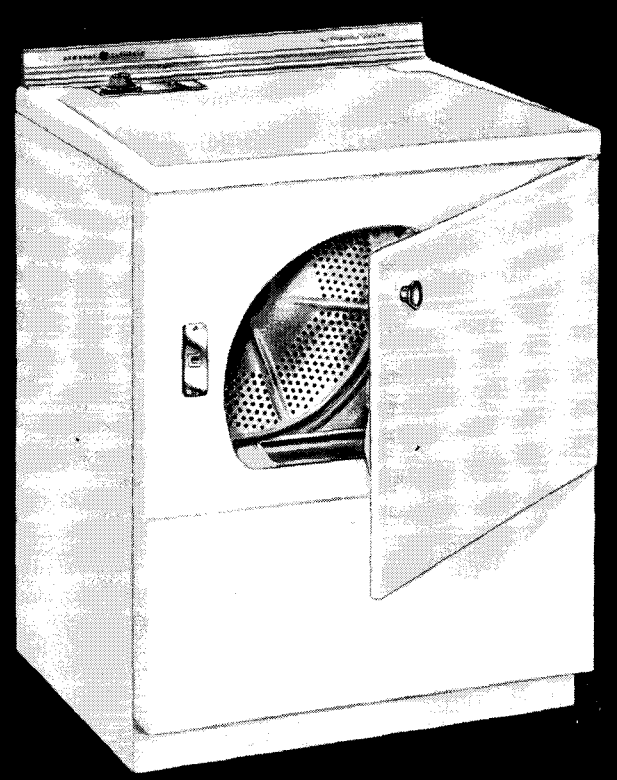

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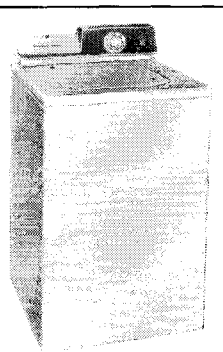

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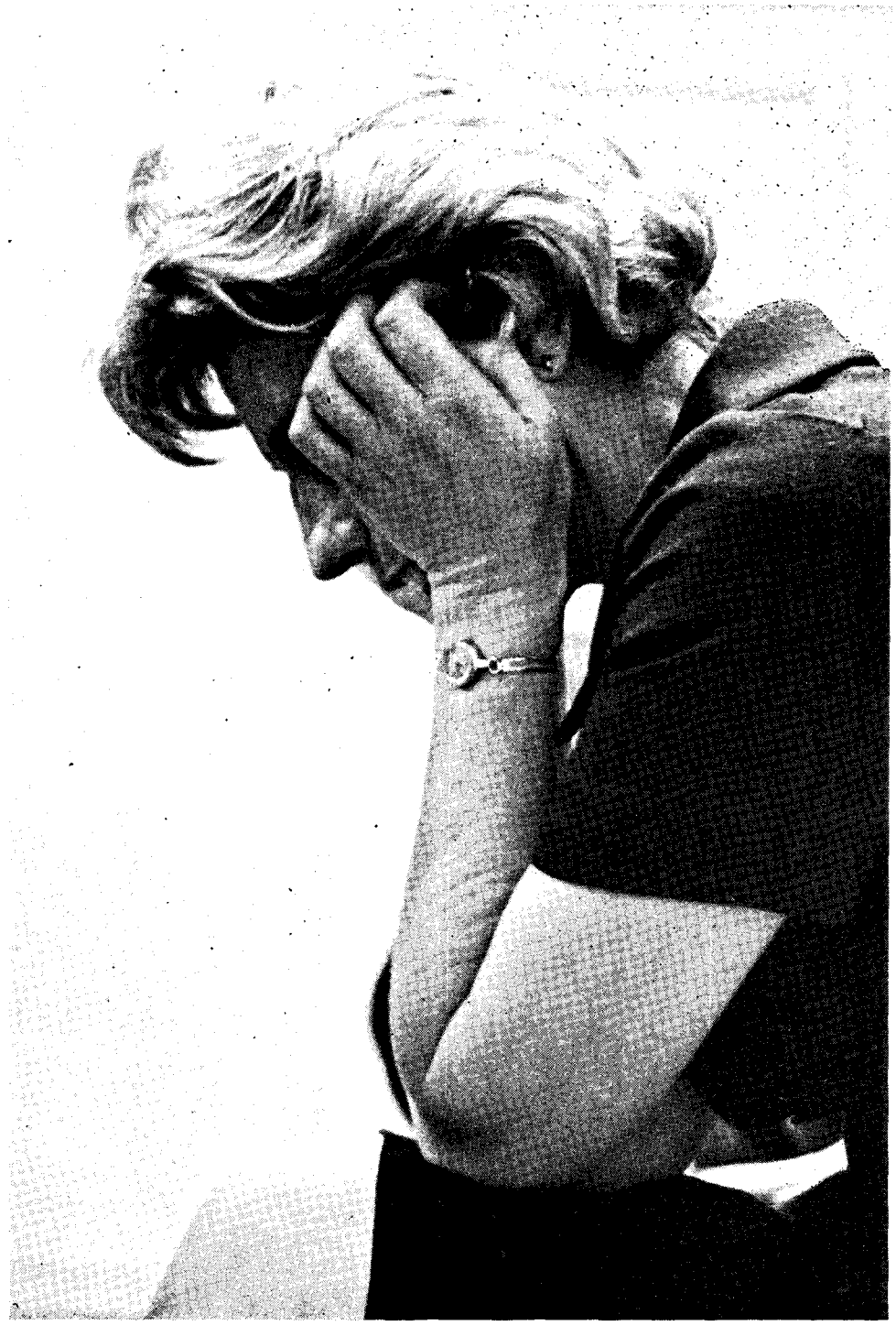
'HELP ME, I'M ALONE'

In a program called SOS, people caught in the turmoil of divorce are gathering together to help each other fight loneliness and despair.



By BILL DAVIDSON

It seemed like an ordinary social gathering. Ten men and women sat in the living room of a suburban home in Palo Alto, Calif., chatting and drinking coffee. Suddenly one young man said to a well-dressed girl in her 20's, "The trouble with you is that you're a cold, arrogant bitch."

The girl barely flinched. "How do you mean?" she asked quietly.

The man said, "Well, it seems to me that you got a divorce just because you were tired of being your husband's mama. What you want is to find someone who can be your papa, but I don't think you understand that arrogance and coldness repel such a man."

Nearly every night, brutally frank talk like this is heard in living rooms in Palo Alto and neighboring communities. These aren't social gatherings. They are meetings of a new organization called SOS. Its initials represent the international call-letters for "Help." It was designed as a kind of lifeboat for people floundering in the special, often overwhelming torments of divorce and its aftermath—people crying, "Help me, I'm alone." Founded in Palo Alto in 1963 and maintained there as a pilot program for three years, SOS is now expanding throughout the country.

The pilot program showed that the SOS idea could work. A woman we will call Marie, for example, joined one of the seven pilot groups in 1964. She was a well-educated woman in her mid-30's. She had just been through a painful divorce, and at the group's first meeting she seemed so depressed that the therapist in charge of the group feared she might be contemplating suicide. "I wasn't sure she'd make it until the next meeting," he recalls. "I was so worried that I phoned her several times during the next week."

To his relief, she did make it. She listened as the others talked of their problems, and gradually she began to talk about hers. It turned out that, intellectually and in other ways, she had subordinated herself to her ex-husband. The therapist says, "Through talking with me and the group, she saw herself more clearly. She had devoted her life to her husband to such an extent that she ended up with no personality of her own. In the process, she became totally uninteresting to him."

Marie stayed with the group for more than six months, steadily gaining self-confidence. She began to meet people socially—among them a charming man who was attracted to her but who had less education than she. The therapist says, "This troubled her too. The normal reaction of a divorced person is to repeat the same mistake, but here it was just the opposite. She worried now that her new admirer might be intellectually inferior to *her*." She took it up with the group. The consensus was that this new relationship might be exactly right, in view of her past problems. In June, 1965—just eight months after she had thought of suicide—Marie got married again.

This pilot SOS program in and around Palo Alto was sponsored by Parents Without Partners, a national organization of divorced and widowed men and women. During the three years of the program, the schedule has begun each fall with a series of five weekly lectures at a public gathering place such as a church. The lectures, by psychiatrists, clergymen and others, cover a wide range of topics from religious interpretations of divorce to the practical problems of alimony payments and income tax. After the lecture series ends, those who feel they want more help join therapy groups, which then schedule meetings in members' homes. The SOS idea resembles the mutual-support concept of Alcoholics Anonymous, but there is a difference: Each SOS group is guided by a psychiatrist or other trained therapist.

Just as Alcoholics Anonymous was founded by two suffering drunks, SOS was founded mostly through the efforts of one suffering divorcée. Sally Spray, an attractive brunette with startlingly bright blue eyes, now in her mid-30's and the mother of two young children, was divorced in 1962. Badly shaken, she sought psychiatric help and was referred to a psychiatrist who practiced group therapy. In the group with her was a desperately unhappy woman whose marriage was a hell but who came from a European family in which divorce was unthinkable. One Friday after-

Photographs by Wayne Miller

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noon, unable to stand it any longer, the woman went to see a lawyer about starting divorce proceedings. She left the lawyer's office, drove to a reservoir with her six-year-old daughter and, clutching the child, leaped in. Both were drowned.

"We talked about the suicide for hours in our therapy group," says Sally. "Several said they had thought of the same way out and had even tried it. It got to me more and more—the acute desperation we all felt—so much so that it awakened me at night. I'd lie there and think, 'People can't suffer this way. There *must* be help.'

"Then one day," she says, "I realized what had happened to me in the group. I'd been bitter toward my ex-husband; now I was accepting the situation as it was. I now knew I wasn't alone in my misery. I'd been helped by talking out problems with people in the same predicament."

Thus the idea for SOS was born. Sally traveled around Palo Alto to discuss implementing her idea on a community-wide basis. She got enthusiastic support from people like the Rev. Spencer Rice, then pastor of St. Mark's Episcopal Church, and social worker Virginia Satir, of the Mental Research Institute. The scientific community at Stanford University promised aid in the form of therapists to serve as group leaders. Finally she went to Ted Scudder, president of the local chapter of Parents Without Partners. Scudder appointed a committee to help her, and they decided to launch the program late in 1963 with a series of five free lectures at St. Mark's Church—mainly to bring people in to sign up for the group sessions at the modest price, for therapy, of $1.50 per session. Eighty people signed up the first night—"twice as many as we had expected," says Sally.

So far, between 300 and 400 people have gone through the SOS group sessions in the California program. The general practice has been for each 10-member group to sign up for five weekly sessions initially, and then to continue if the group and its therapist (who gives his services for $15 a night) think more sessions will be helpful. Some groups have continued for as long as a year.

About three-fourths of the people seeking SOS' help have been women, but some men also have been deeply troubled. One in his late 40's—call him Arthur—joined a group in 1963. Formerly a successful stockbroker, he was now living alone in a decrepit motel. According to his group leader, he was "so disturbed he couldn't talk coherently." He was a heavy drinker and had lost his job. His life had become purposeless.

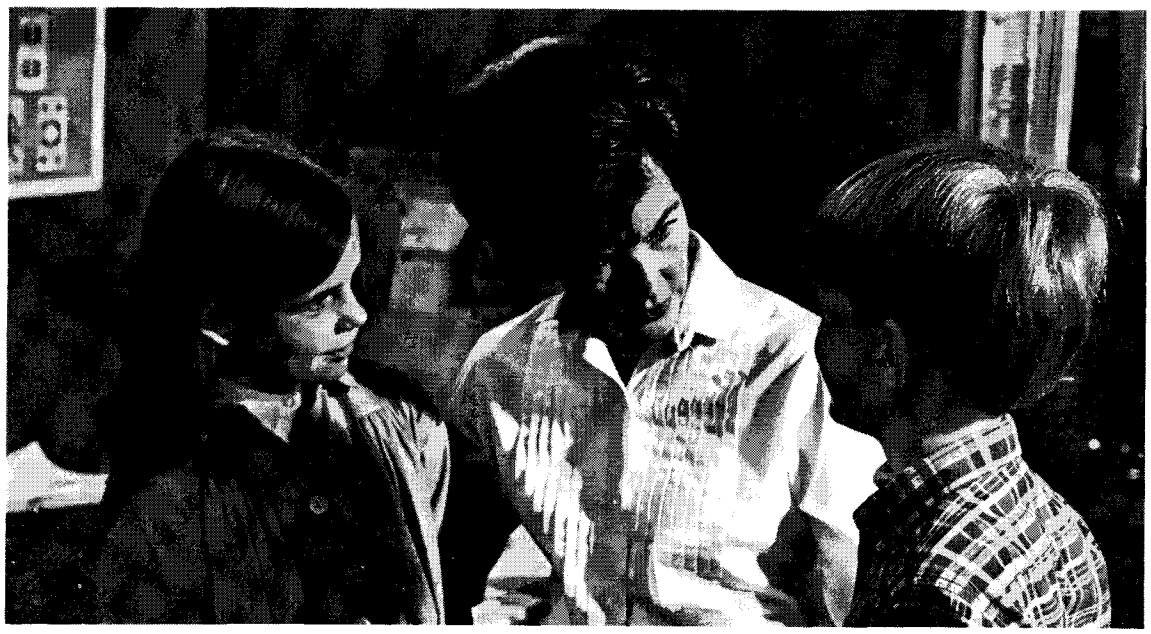
He had been married for 22 years. His group found out that he had been domineering at home and eventually had alienated his wife and four children. His wife had become frigid. Yet he hadn't seemed to realize what was happening. He loved his family and was perfectly satisfied with his life. He was stunned when his wife left him. The divorce nearly destroyed him.

During his first few weeks with the group, Arthur continued to drink. He also kept driving past the building where his ex-wife worked, just to catch a glimpse of her. Little by little, the other group members weaned him from these practices. They suggested that he leave his motel and move into a friend's house. They helped him realize that his married life was over for good.

Finally Arthur moved to a midwestern city, where he went back to work as a stockbroker. A member of his SOS group recently visited Arthur while on a business trip. "You'd never recognize Arthur," the visitor wrote to the group's therapist. "He's happy and healthy. He never mentioned his ex-wife once."

Most SOS participants are between the ages of 30 and 50 and have already filed for divorce. But there have been several severely troubled members who were still married. One young mother in her early 20's, for example, had left school to marry at the age of 16. The marriage had fallen apart, yet her parents were unyieldingly opposed to divorce. She was demoralized, pulled in two directions by the seemingly unresolvable conflict.

Members of an SOS group talk out bitter feelings about divorce, help each other make an adjustment to unmarried life.



SOS was founded by Sally Spray, mother of two, who needed psychiatric help after her own divorce in 1962.

"When I went to the first lecture," she says, "I looked around and thought, *My gosh, these are fine people.* From my parents I had the impression that people who got a divorce had crawled on their bellies out of a pigpen. My eyes were opened to a whole different world."

She joined a group and finally got a divorce. She went to work, studied at night to complete high-school education and plans to go to college. Says her group leader, Charles Richmond, "That's one life that was *really* salvaged."

The SOS groups have salvaged marriages, too. In a group led by marriage counselor Cecile Pichel, for example, there was a scientist who was living with his wife under conditions of constant turmoil. He had joined the group to find out whether he should get a divorce.

The members gave him the benefit of their bitter, varied experience. At one session, for instance, they used an acting-out technique called "psychodrama" to show him that his wife was probably starving for affection. Finally, one night, he told the group, "I don't think I need you folks anymore. Thank you all very much. There isn't going to be a divorce."

Despite successes like these, there are many mental-health authorities who think SOS can be improved. Says group leader Tom Suzuki, a psychiatrically trained medical social worker at Palo Alto-Stanford Hospital Center: "We are *not* getting many of the alcoholics and the ones who *caused* the separation in their marriages."

A second possible criticism of SOS is voiced by Dr. Charles Fisher, a nationally known psychiatrist and researcher at Mount Sinai Hospital in New York. Dr. Fisher says, "If this organization operates on the same level as Alcoholics Anonymous, with seriously disturbed people joining it *in conjunction with* professional treatment, it can be an extremely valuable tool. If, however, it becomes an excuse for *not* seeking psychiatric help, then its usefulness will be limited."

In any event, the idea pioneered by Sally Spray looks attractive enough so that chapters of Parents Without Partners all over the country are ready to try it. Sally has been appointed PWP's National SOS Chairman. Some 50 local PWP chapters have written to tell her of plans to follow her lead—for example, chapters in Chicago, San Francisco-Oakland, and Washington, D.C.

Will SOS grow as big as Alcoholics Anonymous? Many who have been through the program seem to think so. They talk, as ex-alcoholics do, of having been saved from a dark and lonesome doom. "I dread to think what my life would be today if it hadn't been for SOS," says California divorcée Dorothy Miles, who struggled back to optimism after a bleak and hopeless period two years ago. "God bless Sally Spray." □

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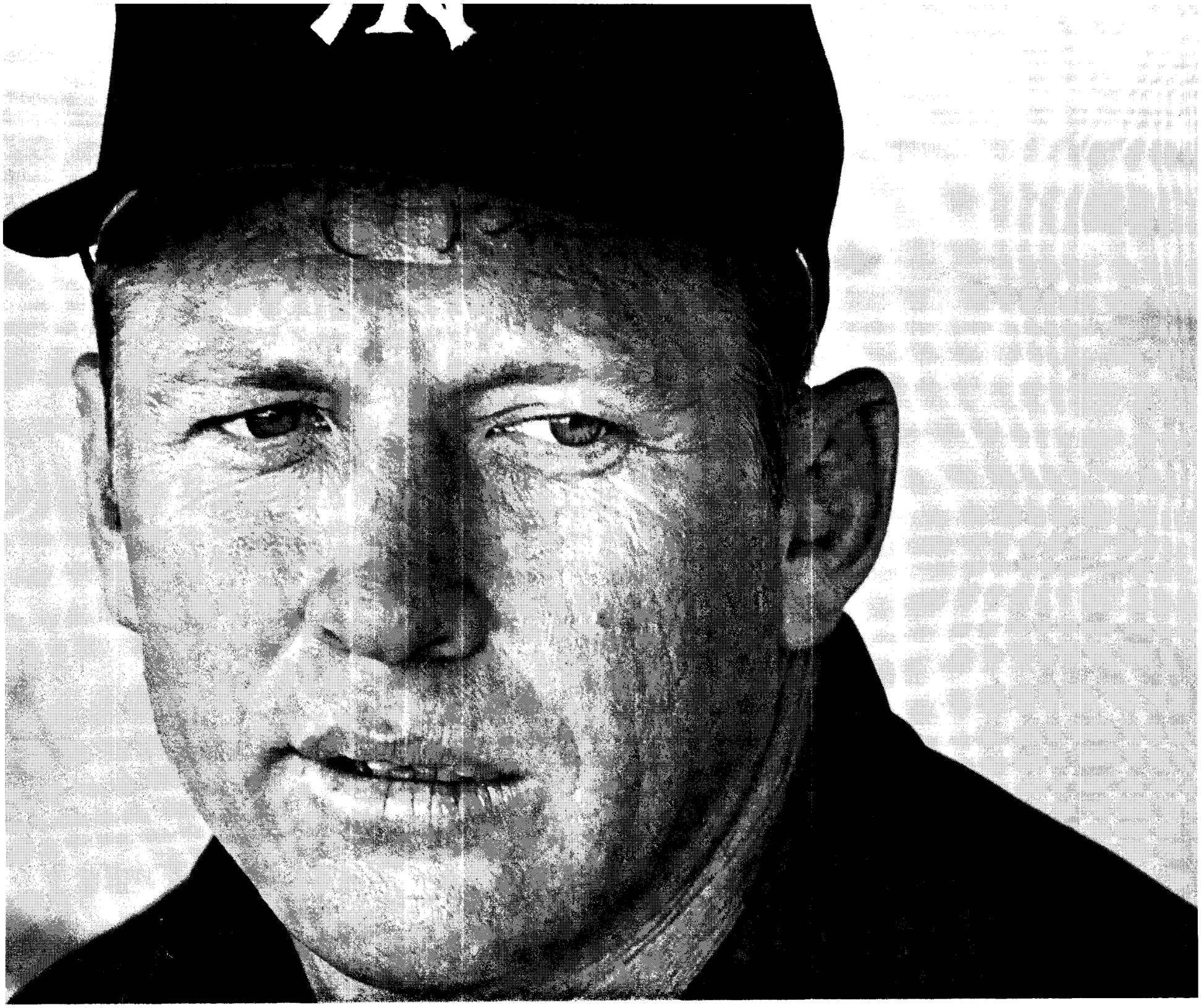

TROUBLED TIME FOR A WOUNDED HERO

Mickey Mantle was the greatest natural ballplayer of our time, but after 15 years and a lot of injuries, nothing comes easy anymore.

By BIL GILBERT

Photographs by Joseph Consentino

When I first saw him late in February, Mickey Mantle was wearing an expensive sweater, slacks and a casual, attractive grin, all suitable for a man who was about to sign a $100,000 contract to play games. Mantle was sitting at a table in the press lounge of the Yankees' offices in Fort Lauderdale, Fla. Also in the room, browsing on coffee and Danish pastry, were 50 or so writers, photographers, TV and radio reporters. They had come to view the contract-signing ceremonies, and also on the off chance they might have a question or two about a shoulder operation Mantle had undergone the month before at Mayo Clinic.

Mantle is a heavyset, thick-necked man, but he would not stand out in the average crowd for reasons of extraordinary size or physique. The face is more unusual. It somehow seems older than the body, older than the face of a 34-year-old, although there are none of the conventional signs of premature age. The short-cropped hair is blond, not grizzled. The face is square and full, but not flabby or excessively wrinkled. In a hard-to-describe but easy-to-observe way, it is a worn, used face.

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Mantle began an extemporaneous account of the corrective surgery performed on his shoulder. He told the story easily, conversationally. The voice has a hint of a southwest drawl, and the grammar and logic were plain but serviceable. He tossed out a few mildly humorous lines which drew enthusiastic responses from the reporters. All in all it was a different and better performance than the published reports of a taciturn, sometimes surly Mantle had prepared me for.

He had, said Mantle, first injured his right shoulder in a collision with Red Schoendienst of the then Milwaukee Braves during a World Series game in 1957. He had aggravated it the previous winter while playing touch football with his children. Toward the end of 1965 the shoulder was so painful that he could throw and bat only feebly. "I came to New York this winter and told Ralph Houk I was quitting. There was no sense in trying to play with that arm. He asked me if I would go to Mayo to see what they thought and I said I'd try it. They said an operation might fix it, but they wouldn't guarantee anything."

"How much are you going to be able to play?"

Six times by actual count that morning the same question was asked, and each time Mantle gave the same answer. His recuperation had been swifter than either he or the Mayo physicians had expected. "The arm is sore, I can't raise it over my head, but I'm doing exercises. I think I could swing a bat now, but I couldn't throw. I guess I'll never throw real good again. I think it will come around so I can play in a couple of the last exhibition games and maybe open the season. I really hope I can play 135 games this year."

"Will the operation extend your career?"

"It can't shorten it," Mantle said patiently, without sarcasm. "Like I said. I was going to quit before I had the operation."

There was some milling about after the conference, during which I asked Robert Fishel, a Yankee vice president in charge of public relations, for an introduction to Mantle. Fishel, a direct and blunt-spoken man for his calling, gave what might be called a restrained welcome to Yankeeland. "We've got orders to protect him from magazine writers. You're going to do one of those negative stories, aren't you?"

"What do you mean protect him? Can you talk to him at all?" It seemed better to ask two questions than try to answer one I didn't understand.

"Don't expect any three-or-four-hour exclusive interviews. I'll be glad to introduce you, but you'll just have to take your chances."

"M'm, uh," said Mantle after I had been explained but not directly recommended by Fishel. We stared at each other for a moment and then, like a cloudy, nictitating membrane flickering across the eye of a bird, a strange look covered Mantle's face, a look which I was to see often and which I will call the Mantle Mask. The head sinks down on the shoulders, the eyelids are lowered, the mouth is closed tightly and the corners droop. All signs of inner feeling, interest, curiosity, even irritation and hostility disappear. The features go dead. Having put on the Mask, Mantle turned past an offered hand and left the room.

People who go about prying into the behavior of other creatures must expect a certain amount of rejection. In the course of such work I have been bitten by a bear, sworn at by a Senator, thrown at by a basketball coach. While I was not prepared for the Mantle Mask, it is not hard to figure out how and why it evolved. In 1951, when Mantle came to the Yankees, he was nothing more or less than a small-town Oklahoma teen-ager. Yet almost immediately the boy was made into a famous man, more famous than most governors, congressmen, cabinet ministers.

It is an indisputable if sometimes inexplicable fact that the public is insatiably curious about what famous men do when they are not doing what they are famous for—winning battles, passing laws, hitting home runs. And for 16 years hundreds of strangers have been advancing on this man with outstretched hands and the same objective—to catch by force or ruse some part of him and bear it back triumphantly to a typewriter or microphone like a hunter with a Boone and Crockett Club award. Under these circumstances the Mask can be admired as a fairly sophisticated defensive device, like a porcupine's quills, perhaps. Dealing with the Mask is somewhat like trying to open a clamshell barehanded.

During those first days there was one small, mean consolation. At Fort Lauderdale Stadium Mantle was frustrating not only me but the flower, so to speak, of the nation's sportswriters. Neither by word nor deed would he give the journalists any help in hatching the Mantle-Fights-to-Come-Back-But-He-Is-Probably-Finished stories over which many of them were brooding.

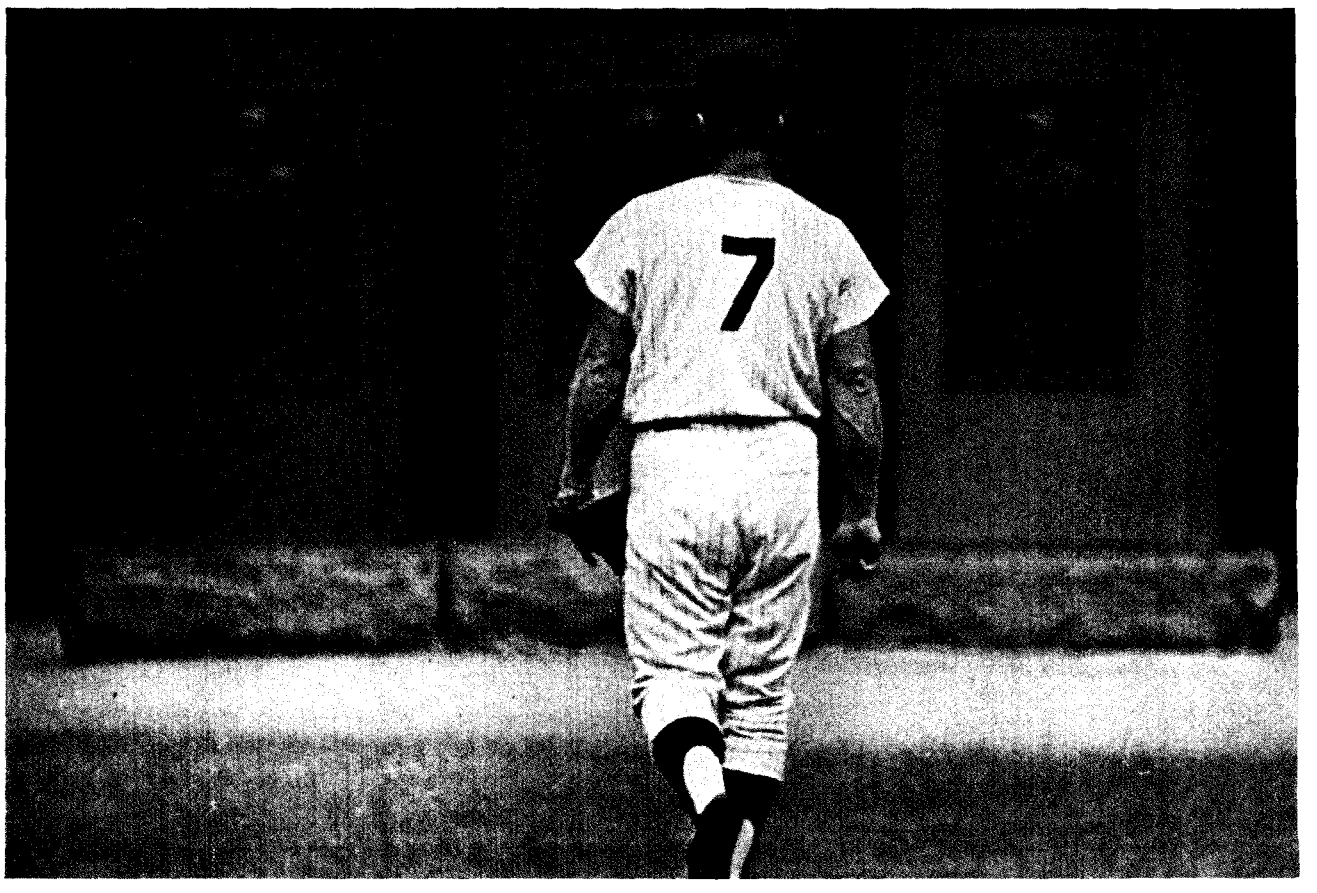
On the field there were signs that he was disabled, but they were small and not spectacular. Shagging flies, he would catch a ball, cock his arm as if to throw, then think better of it and toss the ball underhanded to another outfielder. In the batting cage during the first week, Mantle winced as he took a full left-handed swing. However, almost daily the grimaces were less evident and the throwing arm was raised higher. Mantle looked exactly like what he claimed all along he was, a man recuperating from an operation. This was fine for him, but from the reporters' standpoint, to paraphrase a classicist of the trade, watching a muscle heal is about as exciting as watching grass grow.

Two distinct types of ballplayers made the Yankee dynasty and legend: the superstars, the Ruths, Gehrigs and DiMaggios; and the superlatively effective technicians, the Crosettis, Dickeys, Henrichs. Mantle is the last, it appears, of the former line, and Elston Howard is, if not the last, certainly the best current example of the latter. Howard is not chatty, but he will answer a trade question—How do you pitch to a right-handed pull hitter with two on and two out in Baltimore's Memorial Stadium—with patience and clarity. In other matters he tends to keep his mouth shut. Therefore it came as a surprise to hear him say one morning of Mantle, "It's good just to see him on the field. He's our leader." Howard paused a moment to make a technician's qualification. "He can give us the big hit when we need it," he said, "but so can some of the rest of us. It's more than that. When you see how he has had to play, what he's done to play, those legs, now the arm—you've got to be proud of him, proud to play with him. You play harder with him around."

Several dozen conversations with other ballplayers invariably culminated in testimonials such as that given by Howard. ("He's my dearest friend, a great guy, and all the ballplayers feel the same way."—Whitey Ford.) What ballplayers seem to feel for Mantle (as evidenced by covert signs as well as overt announcements) is a sort of admiring awe. Partly the admiration is professional, for the 15-year .306 batting average, the close to 500 home runs, the three Most Valuable Player awards, and presumably for those fat contracts Mantle signs every spring. However, talent alone does not explain the existence of what seems to be a genuine Mantle cult among his colleagues.

The fact seems to be that baseball men who are physically and temperamentally closest to Mantle admire him in much the same way and for the same reasons as do fans who get no closer to the action than a bleacher seat. Not only has Mantle been a Helluva Ballplayer by any professional measure but he has been a Helluva Ballplayer despite being crippled, hobbled and flawed by injuries which, say other professionals, would have barred another man not only from greatness but even from playing. Players will tell you stories about Mantle playing in a World Series, his uniform dark with blood from an abscess; Mantle breaking up a game with one swing, a swing that twisted his face with pain; Mantle dragging a bunt and running all out on a knee that was precariously near total collapse. For his peers as well as the public, Mantle appears to fill the role of the Wounded Hero.

In 1965 the Yankees staged a Mickey Mantle Day. After the ceremonies, the game, which happened to be against Detroit, commenced. The Tiger pitcher was Joe Sparma, a good young right-hander who had been particularly adept at beating the Yankees. When Mantle came to bat for the first time, Sparma, to the amazement of all the Stadium spectators, walked from the mound to the plate and shook Mantle's hand. "He's been my hero since I was a little boy," explained



Mantle walks slowly toward his familiar spot in center, and the three memorials to Gehrig, Huggins and Ruth.

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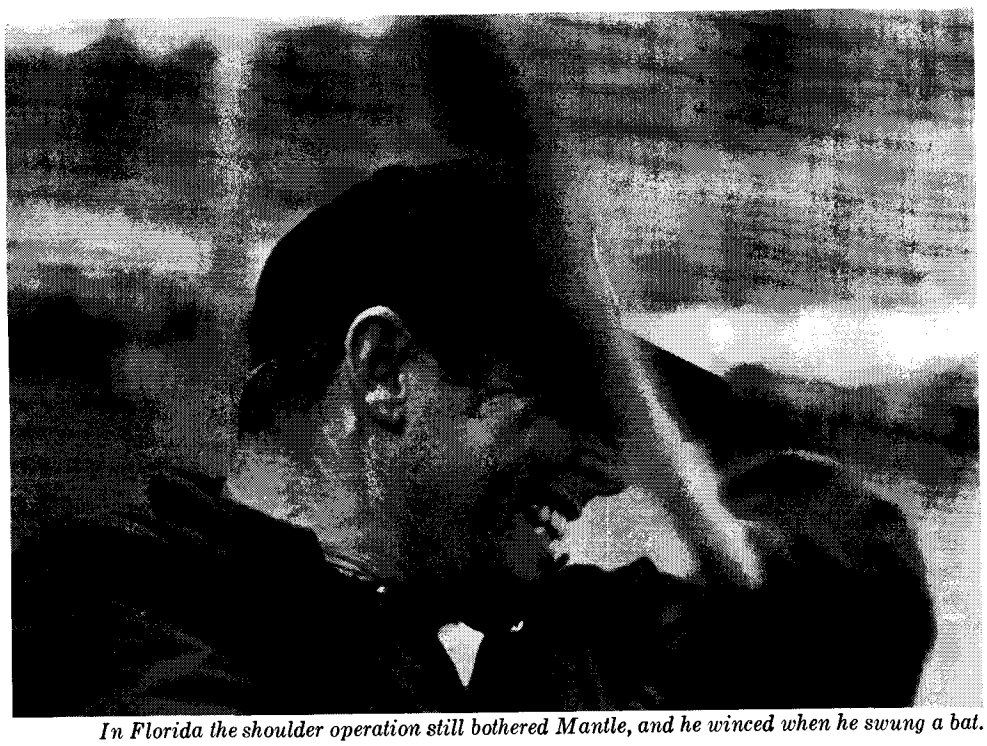


In Florida the shoulder operation still bothered Mantle, and he winced when he swung a bat.

Sparma (who went on to retire his hero and beat the Yankees again), "and I just wanted to let him know."

"Ballplayers all want to be Mickey Mantle," said a former Yankee. "I wanted to be Mantle. Even old Casey Stengel wanted to be Mickey Mantle." Mickey Boyer and Mickey Tresh are sons of fathers who currently play baseball with Mickey Mantle.

Despite all the claims, the testimonials, the optimism and the favorable medical reports, the observable facts regarding the stocky outfielder working out with the Yankees in Fort Lauderdale were that he did not run, throw, swing a bat as hard or as well as the rawest rookie. An outsider seeing him for the first time had to accept on faith that No. 7 was actually the team leader, a superstar, a $100,000 ballplayer. There were many willing to instruct an acolyte in this faith.

"That guy was the greatest ballplayer I have ever seen," said Ralph Houk, the springtime general manager of the Yankees, nodding across the locker room toward a glum-looking Mantle. "He hits with power, for the average, from both sides of the plate. He was the fastest big man who ever came up. He could steal a base almost whenever he wanted. He could have hit .280 beating out bunts and grounders. Anything he didn't know about defense he made up for with speed. He's a team man. He gets two homers and we lose 3–2, he's down. He gets the collar and we win, he's happy. A Helluva Ballplayer."

But if in fact Mantle should prove no longer to be a Helluva Ballplayer, a possibility suggested, if for no other reason, by Ralph Houk's varied choice of verb tenses, was it not true that he was still a helluva celebrity, a helluvan attraction to people who buy tickets to baseball games? "We're paying him all that money because he is, *is* a great ballplayer. It's as simple as that," said Ralph Houk who is, *is* a forceful man with alert eyes which always seem to be watching the effects of his words on others, as a gambler watches cards fall and calculates their significance. "Baseball is an unsentimental game. You draw fans by winning games and pennants. Mickey Mantle is going to win a lot of ball games for us."

Another matter that I had to accept strictly on faith was that there was a man, a ballplayer, a man for whom sons were named, *any* sort of man, behind the Mask. For some days in and around Fort Lauderdale when a crossing of our paths seemed imminent, Mantle would veer off in another direction. After a time I started doing the same thing, so that we came to resemble two toy magnetic dogs who, set on a table face to face, spin around presenting each other with their tails.

One afternoon while the Yankees were preparing for an exhibition scrimmage, I went into what I thought would be a deserted locker room, drew a cup of coffee from the communal pot, cleared away some bubble-gum wrappers and beer cans from the snack table, and sat down to contemplate my condition. Mantle, who was not involved in the game, walked in from the training room and sat down on a bench in front of his locker, about five feet behind me. Turning and seeing who had entered, I thought a very sticky, hard point had been reached in our private competition. It turned out otherwise.

"You want to ask me some questions?" Mantle asked, if not eagerly, at least very civilly.

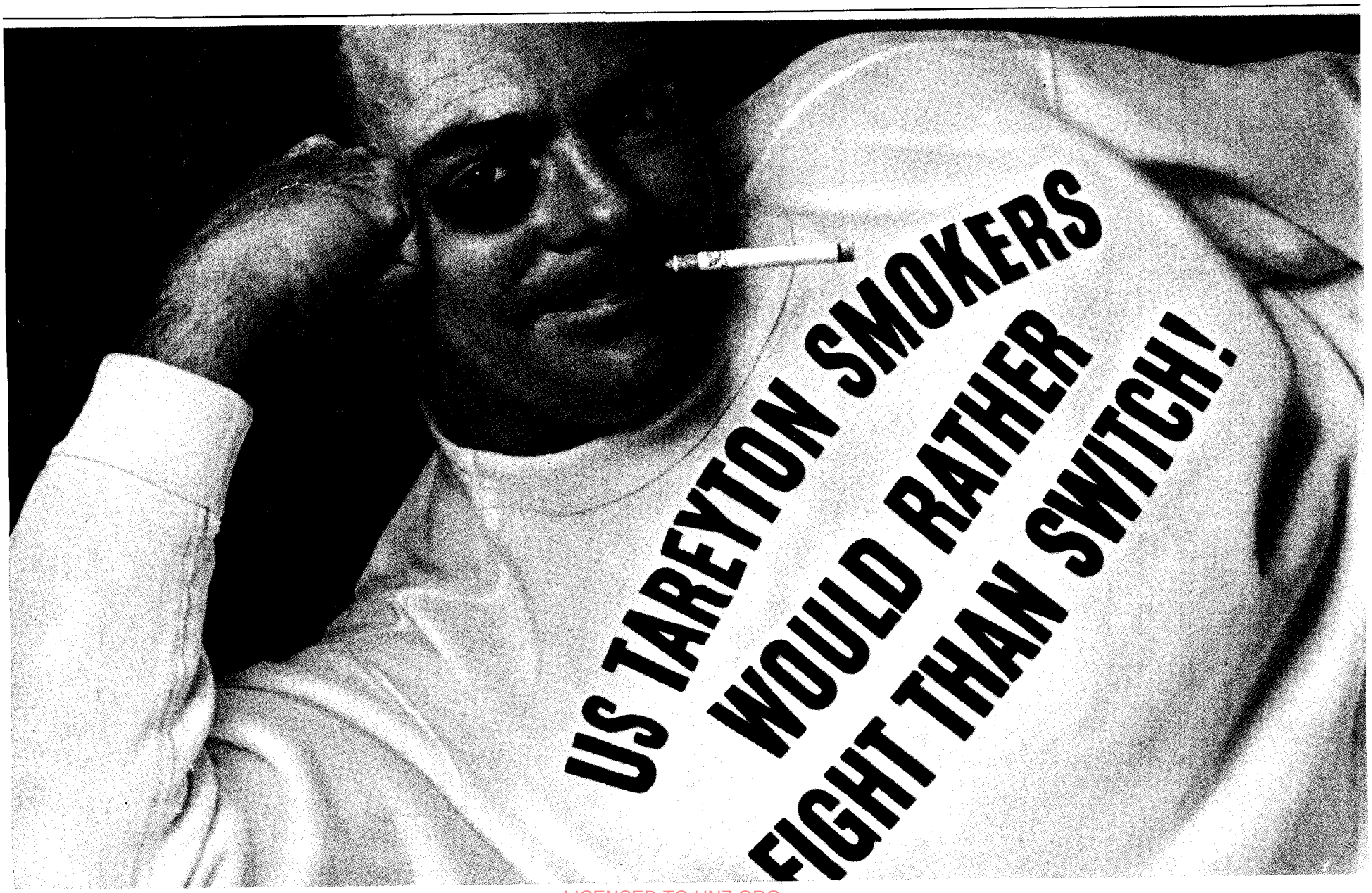
"If it suits you," I said as clearly and as quickly as it is possible for one whose mouth, physically and psychologically, is hanging wide open.

"OK, what do you want?"

My only excuse is that I was even more unprepared for this development than I had been for the Mask. "Look, I don't know what Fishel and the rest told you, but I'm not interested in Inside Mickey Mantle. I've got enough problems with Inside Bil Gilbert."

It was a weak joke, but perhaps because it was so blundering, Mantle grinned. "Go ahead."

I was still not ready, so I asked a question purely out of curiosity. "They told me you wanted to be protected from magazine writers. How come? I've read most of the stories, and they seem pretty favorable."



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"You guys write pretty good stories about me, considering what you've got to go on," Mantle said. "They just take too long. This photographer came out to our house. He's there a couple of days. He takes pictures of everything we're doing—brushing our teeth. Who cares how we brush our teeth?"

By all conventional rules this was a rhetorical question, but Mantle asked it, looking directly at me and waiting for an answer, as I might wait after asking him whether he preferred to hit curve or fast balls. Not only was it a non-rhetorical question; it was one for which I could not think of a short, sensible answer. I said so. Mantle shrugged, and commenced doing something which is not much different than tooth brushing but for which he is famous. He began to unwind several yards of tape from the many-times-injured legs.

"Everything's the arm this spring," I said. "How about legs?"

"Real good," Mantle said in the pleased, serious manner of a man talking about the bullish tendencies of a block of speculative stock he owns. "They're better than they've been for three or four years. When I was in Mayo's I couldn't do anything with the arm, but they started me lifting weights on my legs. I couldn't do but fifteen pounds on one. That's terrible. My kid can probably do that. I've kept working with them down here and I can do forty-five now. They told me at Mayo's that was one reason I've had so much trouble with my legs. I just never built them up."

"Why not?"

"No reason. Takes too much time. That's stupid, isn't it?"

And again Mantle was asking one of those simple-hard, non-rhetorical questions for the sake of an answer. It is a habit which seems to stem from one of his most appealing characteristics—an exceptional lack of pretentiousness. You can learn how and when to put on a mask, but taking oneself lightly is neither learned nor faked.

The question of his often injured, casually neglected legs is related to a matter which comes as close as anything else to being professional criticism of this ballplayer. Some old baseball hands and heads will cite, as does Ralph Houk, the tremendous skills of the young Mantle. They grant that he was a great, perhaps the greatest natural ballplayer. But they conclude that Mantle never was willing or able to become anything but a hustling, gutty, natural ballplayer; that neither on the field, in the training room nor away from the field would he sit still for the tedious body building which might have prevented or at least lessened the effects of his injuries; that in 15 years he has not mastered the "fine points of the game"; that he disdained to augment or conserve his marvelous talent with the tricks that were second nature to, say, Stan Musial. They all say this and so does the man himself.

"I don't know anything about baseball," Mantle said casually, having been asked if he had ambitions to become a coach or manager. "Everything I did all my life came natural to me. I don't see how I could coach. I don't believe in batting coaches and I never could field very good. I sort of outran my mistakes."

"Elston Howard said you were the leader of the team. You gave them a lift, just being here."

Mantle grinned, as though I had just repeated a fairly good joke. "Two-fifty hitters don't lead anybody. That's what I was last year. If this thing comes around," and Mantle tapped the right shoulder bearing the long red welt of scar tissue, "maybe I can help them this year." He got up and headed for the shower; then he paused as polite as anyone could expect. "You got anything else?"

I said I didn't, but I would probably think of something.

"How long you going to be around?"

"Couple more days here, but I'm going to pick you up later on and then for some games after the season starts."

Mantle nodded wordlessly, apparently able to contain his enthusiasm for my plans, but as he moved away he was at least not masked.

Halfway through the spring, Mantle appeared in one exhibition game as a pinch hitter, struck out and did not play again in Florida. Then, in Atlanta, where the Yankees played their three final exhibition games, Mantle told John Keane, who was then his manager, that he thought he was ready to play. Keane played him in two games, Mantle hit two singles, and though the weak arm was not challenged, he did not embarrass himself in the field.

This amazed everyone, but for Mantle himself things had worked out almost precisely as he had said they would at the press conference six weeks before in Florida. If ever a man had a right to some I-told-you-so pleasure it was Mantle, who had brought off a tricky prediction in the face of general skepticism. That is exactly how he looked, pleased, in the dressing room after the game.

"You did it. Congratulations."

"It worked out real good."

"What about the legs? You still lifting weights?"

"I quit. Took too much time," Mantle said, shrugging.

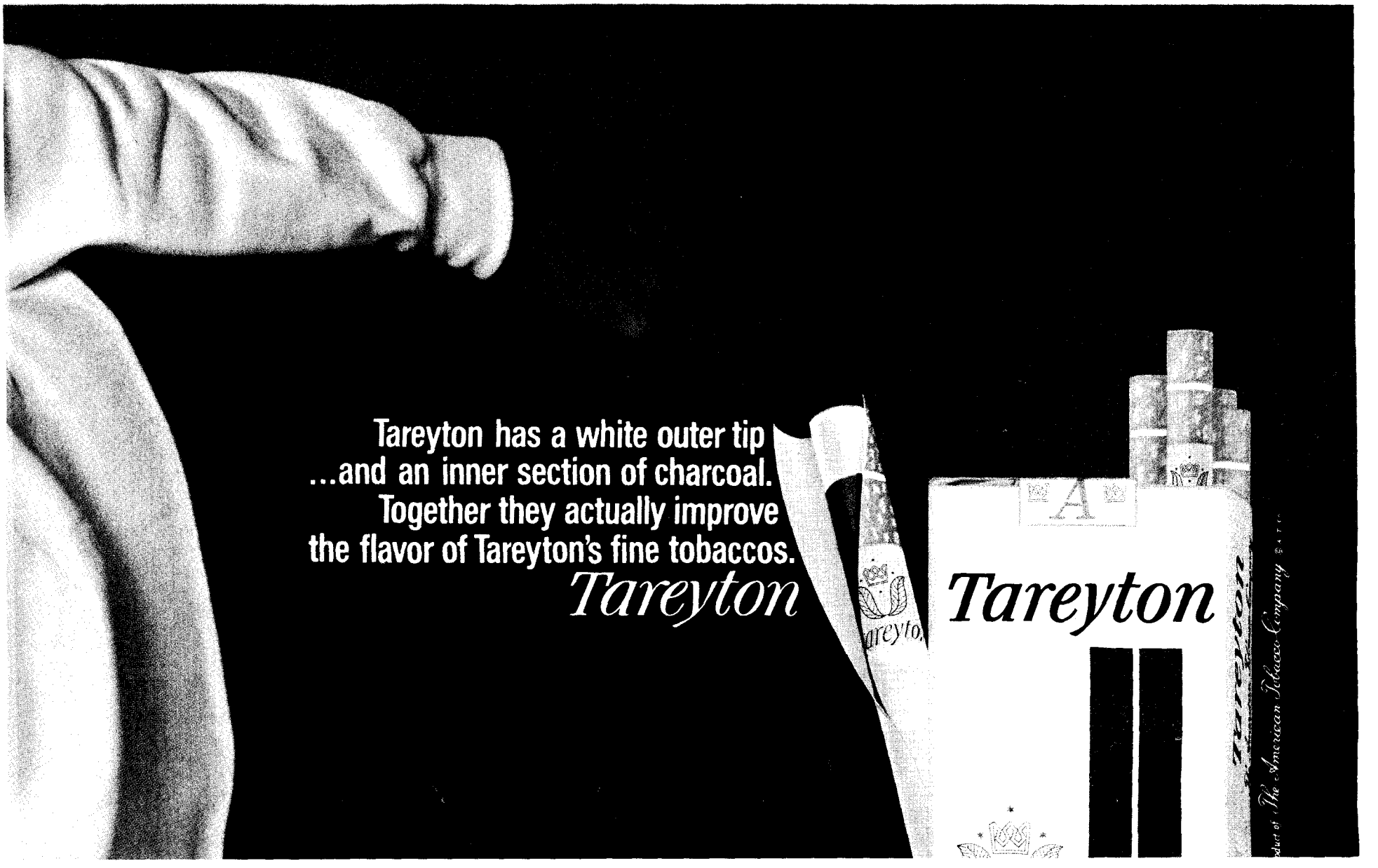
"Hey," he turned to Whitey Ford. "This guy was in Florida. He's going to hang around all season to do a story on me."

"What for? The encyclopedia?" Ford asked blandly.

Not only Mantle, but all the Yankees were pleased with themselves, seemed happier than I had seen them before or, as it turned out, I was to see them again. That night the Yankees were doing things that anybody who has ever been in a high-school locker room has seen done—snapping towels, telling dirty (but not really) stories, decorating themselves with shaving cream.

The whole scene was relaxed and entertaining, though hard to be with if you no longer feel like a 20-year-old. I withdrew and moved back to the bubble-gum-and-beer table with Steve Hamilton, a tall, graying, relief pitcher. In Florida we had discovered that we were both hooked on the Appalachian wilderness, and I was telling Hamilton, a Kentuckian, about my plans to leave later in the month for a five-week, 600-mile hike along the Appalachian Trail from Northern Georgia to central Virginia. After a time Mantle joined us.

"What do you do," Mantle asked, after listening for a few minutes; "carry all your food on your back?"



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"Not all of it. I leave food drops at farms, ten days or so apart."

"You're doing all this just to write a story?" Mantle asked.

"I'll probably write something to pay for it, but that's an excuse. I've been wanting to do this for years."

"What does your family think about your being gone all that time?"

"I guess they're glad to get me out of the house for a while."

Mantle shook his head. "I put mine on the plane for home when we left Florida. I really wanted to go with them. I felt like crying."

This line is not an uncommon one for public figures, some of whom would be hard pressed to remember the name of their youngest child or first wife. But whatever else he is, Mantle is very little concerned with his private image and has really no reason or need to strike a fond-family-man pose. Furthermore, for the first and only time in our association, we were not meeting, so to speak, over our jobs, but talking to each other about what we were. In any event, for Mantle, at that time, in that mood, at least, the line rang true.

In Florida, Ralph Houk had explained that baseball teams attract crowds by winning games and pennants. The Yankees, being virtually the same team that had finished a dull sixth in 1965, lost their season opener to Detroit but drew some 40,000 cash customers. This was their largest first-day crowd in 15 years (and in 12 of those years the Yankees had come onto the field as pennant winners).

Judged from the reaction of the crowd whenever he made a move, good, bad or indifferent, the major attraction the Yankees had going for them was Mantle. In the fourth inning he hit a sharp liner into left center, rounded first and kept going hard toward second. There was a split second of almost total silence and then as Mantle came in just ahead of the throw the screams began, mounting into the biggest ovation of the day. The reaction of the crowd was out of all proportion to the action, and it was a reaction that only a Mickey Mantle could draw.

In the sixth inning, after getting a second, scratch hit, Mantle was replaced by a pinch runner. Several thousand fans left the game when he did, and I was among them, leaving not only the Yankees and Mantle, but shortly thereafter society in general, starting off on my 600-mile walk through the southern Appalachians.

It would be claiming more detachment than I possess to say that I did not think at all about Mickey Mantle during my five solitary weeks in the mountains, but I thought nothing very constructive. At Clingmans Dome in the Great Smokies I borrowed a newspaper from a motorist and read that the Yankees had lost 15 out of their first 19 games. This did not disturb me greatly, but purely for selfish reasons I hoped they would win a few games before I rejoined them. Losers are hard people to talk to.

Between the time I left Clingmans Dome and came out of the mountains in June, the Yankees had gotten themselves involved in the big baseball story of the early season. Having watched the club get its brains beaten out for a month, General Manager Ralph Houk replaced Manager John Keane with Ralph Houk. Thereafter the Yankees won for a couple weeks, then began to lose again. By the time I met the club in Detroit, the suspicion had arisen that with Connie Mack in the dugout and John McGraw and Casey Stengel in the coaching boxes, the Yankees would still be more or less what they had begun the season as—a sixth-place ball club.

As for Mantle, he had hit someplace between adequate and good for the first two months of the season and had played in all but eight of 50 games. However, even this qualified triumph had apparently not elated him. In fact, what is known as a "private informed source" informed me, "He's in a hell of a foul mood. He's been grouching around for two weeks not saying a word. Lots of luck, buddy."

Saturday morning at the foot of the hotel Escalator, quite by accident, Mantle and I met, face to face. "Hi, Mickey," I said. "How's it going?"

On came the mask. Mantle made a sharp right turn and walked out of the lobby. I had seen enough of the mask not to be so shocked and surprised as I had been on first encountering it, but not enough of it to like it. After almost four months this seemed a bit much. My first thought was to turn him around and hit him, but this reaction was of course immediately smothered by more practical and prudent considerations.

By the time I met Mantle in the locker room before the game, my anger had changed into irritation and determination to be no more accommodating than was absolutely necessary.

"This is the last time I'm going to be around," I said. He looked at me blankly. "I've got a couple of hard questions." The mask.

"You want to talk after the game?"

"No. I'm doing something."

"OK, now then?"

Mantle shrugged, put his head down.

"This spring you said you wanted to play a hundred and thirty-five games. Does it look possible?"

"Yes. I've been playing pretty near every day since Ralph came back."

"Does that mean a hundred and thirty-five effective games?"

"I'm hitting pretty good. It doesn't hurt at all when I swing."

"How about the legs?"

"They're good, better than for three or four years. I'm taking it easy. Always when I got hurt it was running hard after a ball, trying to beat a throw. I'm not doing that anymore. I want to stay in the lineup."

"Even if you're OK, you're thirty-four. You got, what, maybe three or four years left at the most. What do you want to do afterwards?"

"I haven't thought. I think I can play two more years. That's what I'm thinking about now."

"When anybody talks about Mickey Mantle, they talk about courage. I'm not knocking it, trying to put you down. This is what I mean. I've got a friend, for example, who kept right on farming with a broken ankle. He had to and he was doing it alone, without anybody rooting for him, giving him awards for it. What about the big courage deal?"

"My father was a miner. He carried maybe thirty-five loads out of the mines every day when his hands were split open. Those miners worked with broken ribs all the time. People all over this country do bigger things than I've ever done, without anybody caring. You guys don't write about them. You write about me. I didn't ask you to."

"OK. That's all I've got to ask. Thanks for your time."

And that was the absolute truth. However, I continued to hang around the Yankees because I had not seen something I thought I should see and wanted to see—the brilliant, exciting on-the-field ballplayer.

Toward the end of June he suddenly became what others had told me he had been and what he, in his unpretentious way, had told me there was no real reason he could still not be—a Helluva Ballplayer. In a 10-day period Mantle hit 11 home runs, batted in 17 runs and raised his batting average 30 points. He said he felt like a kid again. Even from the remoteness of a television screen you could believe it, watching him dance around second base, daring the pitcher, as if it were 15 years ago and Mickey Mantle was the "fastest big man who ever came up."

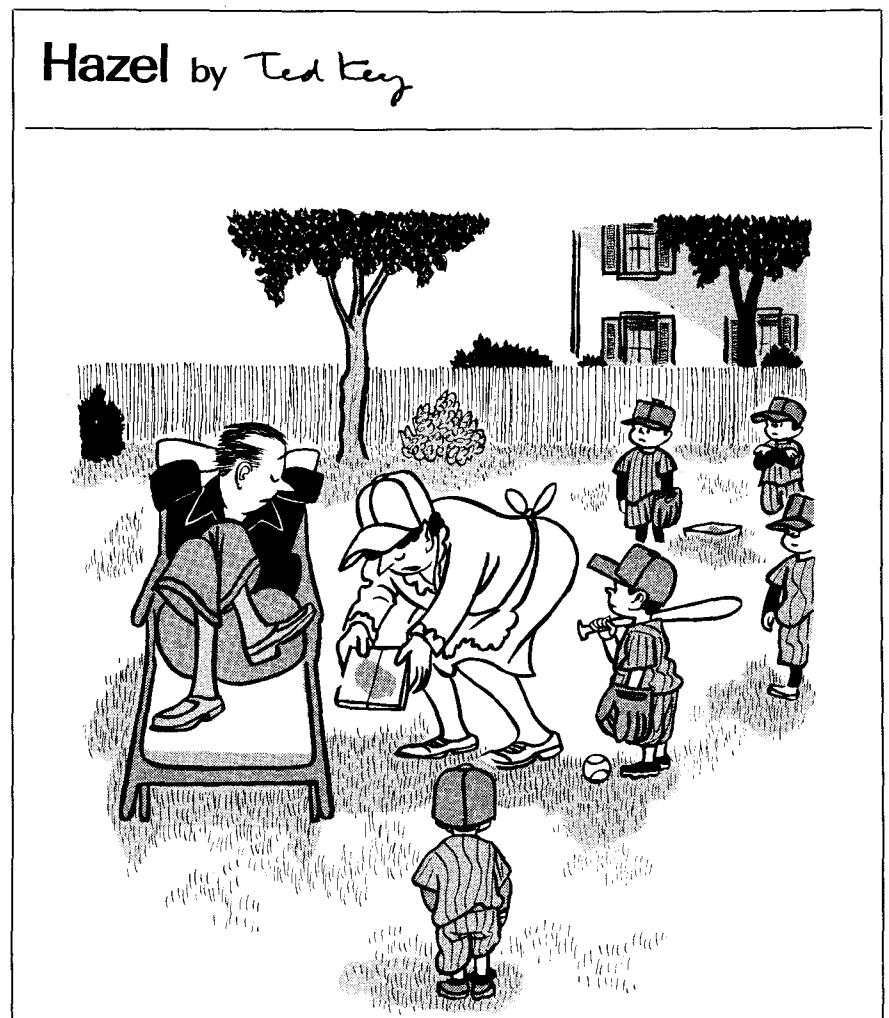
Then on July 8, after having played the first game of a doubleheader against Washington, Mantle asked to play in the second. He went two for two (including his 18th home run). The third time up he hit another shot, a double or perhaps a triple, though the matter will forever remain in doubt. Two steps on the home-plate side of first base, going hard, looking toward the beckoning coach, Mantle suddenly pulled up short. A hamstring muscle had popped.

What had happened to the man who had sat in the locker room and vowed in all apparent seriousness that from here on out during the two years he hoped to play, he was going to take it easy on the legs, that his ambition was to "stay in the lineup." The answer, if there is one, seemed to hinge on the fact that what men are is more important than what they want to be or think they are.

In the locker room, talking about conserving his talent, Mantle was talking like a man who, after 15 years in the big leagues, had finally become a professional ballplayer. But what he is, it seems to me, and what he even admits in action and words, is simply a great natural amateur.

"That's stupid, isn't it," Mantle had asked in his non-rhetorical way, after casually mentioning that he seldom found the time to exercise, build up the famous legs. If the ideal is the professional craftsman, there can be only one answer. Yes, it is stupid. But if the ideal is the man-against-fate, the role Mantle has performed so well for our generation, then while it may still be stupid for the man himself, it may not be stupid for the rest of us. If he had been uninjured, unflawed, without the pain, would Mantle have become the hero that he is, the $100,000 ballplayer who draws the crowds and the cheers?

My own hunch is that Mantle will never change, that he will play the way he has always played (two more years, the man said), and that we will yell for him because in the end the Wounded Hero provokes more emotion, is a more appealing figure than the Helluva Ballplayer. Mantle will continue to perform for us in this role because it is too late for him to be anything else. Whether this is a worthy function, an honorable service, I am sure I do not know and suspect Mickey Mantle does not know. That is just how things are. □



"*And* this *is third.*"

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THE BLACK MAN LEADING A G.O.P. MARCH ON WASHINGTON

Edward Brooke is the best vote-getter Massachusetts Republicans have produced in years. He hopes to be the first Negro U.S. senator in a century—and to help remodel his party.

By John Skow

The Cow Palace in San Francisco rumbled with anger and earache, and no one paid any attention to what Edward W. Brooke was saying. An onlooker at the 1964 Republican National Convention told Brooke later, "I saw you speak," and "saw" was the right word. There had been no reason to listen. This was not because Brooke was only a first-term attorney general from Massachusetts, nor because his errands were either hopeless or pointless (he seconded William Scranton's nomination, presented the convention's respects to General Eisenhower, and asked for a stronger civil-rights plank in the platform). The reason that a viewer instinctively unfolded his newspaper when Brooke began to speak was simple, openhearted cynicism: Brooke is a Negro, and a Negro who could be persuaded to show up at that Goldwater convention, the reasoning went, must be a very tame Negro indeed. How like political leaders—Republican or Democratic, the observer thought, but particularly Republican—to produce an exhibition Negro who was five fourths white. So much, amid the anger and the earache, for Edward W. Brooke.

Two years later—it is a steadying experience to be wrong—Edward W. Brooke is on the point of becoming one of the five or six most important Republicans, and Negroes, in the country. A liberal whose views often match those of Senators Jacob Javits and Clifford Case, he is being spoken of for the vice-presidency, and Romney-Brooke bumper stickers have already appeared. Just now, more tangibly, Brooke is running for the United States Senate seat held by Massachusetts' ranking Republican, Leverett Saltonstall, who is retiring. And although Democrats outnumber Republicans in Massachusetts by almost two to one, it is an excellent bet that Brooke will win. In a state with few Negroes and at least its share of bigotry, Brooke has turned out to be the best Republican vote-getter in years.

If he *is* elected, Brooke will be the first Negro senator since Reconstruction days. That fact clicks out whenever the Brooke punch card is inserted into the column-writing machines in Boston's newspaper offices. Brooke seems tired of hearing it, although he knows that as a Negro senator he would become, automatically, as visible to the rest of the world as Bobby Kennedy is. He is not a professional Negro. ("He's not even an amateur," said an impressed but somewhat resentful Negro visitor to Brooke's campaign headquarters.) He has never taken part in protest marches, and he is on rather distant terms with Negro civil-rights leaders. He was called an "Uncle Tom" by Negro activists after he ruled in 1963 that a school boycott by Negroes was illegal; his answer was merely to repeat that the boycott *was* illegal. But Boston N.A.A.C.P. president Kenneth I. Guscott says Brooke has helped the Negro cause, and adds, "We're not stupid enough to think he should be marching in the streets."

But Brooke's public attitudes on civil rights might be those of a decent, concerned, white liberal, and his detractors sometimes say he thinks he is white. This exasperates him to the point of bitter, shrugging laughter—a rare lapse in the reporter-proof self-containment that seals off the private man from the public person. The assertion is untrue, but the thoughtless and malicious can tick off evidence that makes it sound true. Brooke is married to a white woman, for one thing: an Italian girl he met in Italy at the close of World War II. A few years ago he moved his family from Roxbury, a run-down Negro ghetto of Boston, to Newton, an expensive, well-barbered white suburb. He sends his two teen-age daughters to costly private schools. And he is president, if you please, of the Boston Opera Company.

What sets Brooke apart is not that he thinks he is white, although he has managed to live as if this were really a free country, but that he is an authentic Brahmin. ("Negro Brahmin" is another phrase that clicks regularly out of the column-writing machines.) A Brahmin might be defined as someone who gravitates naturally to the presidency of his city's opera company. There are still a number of white, yankee Brahmins in Boston, but Brooke is the first Negro Brahmin most people have seen. There is no one to compare him with, and so his quiet, dry answers ("Wouldn't *you* move out of Roxbury?") leave his critics from both races not quite convinced. Brooke does not bother to convince them, beyond saying that the best thing he can do for Negroes is to be a good attorney general or senator.

Detractors have also said, in some desperation, that most of the voters who gave him huge majorities in his 1962 and 1964 campaigns for the attorney generalship never realized that he was a Negro. This assertion is more easily disposed of. Brooke believes in polls (and they, in this election year, believe in him). In one recent poll, Opinion Research Corp. determined that 76 percent of its sample of Massachusetts voters could pick Brooke's name as that of a Negro from a list of public figures of both races.

But this impressive figure—it is doubtful that 76 percent of the public could tell you the color of General Grant's white horse—does nothing to explain Brooke's success. Nor does the fact that Brooke gets majorities in the same districts that elect and re-elect Mrs. Louise Day Hicks, a school committee member who has blocked plans to correct racial imbalance in Boston schools, and whose greatest political strength is the racial resentments of lower-middle-class whites.

An alternate theory is that Brooke has profited from what Boston political observers have begun calling the "expiation-of-sin vote." As Frederic C. Dumaine Jr., then Republican state committee chairman, said of Brooke while introducing him at a political rally two years ago, "And just because he's a Negro doesn't mean he isn't as good an American as any of us." Citizens who have come a little late to such generosity of spirit have rushed out, the argument goes, to salve their consciences by voting for Brooke. The theory makes some sense, but does it mean that being a Negro can actually help a candidate in a statewide election? "I think it balances," says the attorney general briefly. His interest in the question is only polite. Edward Brooke is much concerned with civil rights—and with Medicare, Vietnam, air pollution, urban blight and other senatorial concerns—but he settled his own race problem a long time ago.

On the wall of his airy, elegant statehouse office on Beacon Hill he has a diploma to prove it. The diploma hangs near his standard-issue officeholder's ship model and the obligatory ikons testifying to the goodwill of B'nai B'rith and the Knights of Columbus: a sheet of framed flatulence pronouncing Edward W. Brooke to be an honorary attorney general of the state of Georgia. Brooke explains with canary feathers sticking to his smile that he had attended "some sort of an

Photographs By Frank D. Dandridge

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attorney generals' convention in Atlanta. The great state of—" he laughs "—Georgia honored me. . . . They couldn't overlook me." In his cool, inward way Brooke enjoys that diploma.

When he reaches the statehouse at 8 or 8:15 A.M., Brooke has been awake for two hours. He arises in a house he dislikes, a styleless split-level with no virtue greater than a sufficiency of bathrooms. (Brooke's great architectural love is a splendid old summer house he owns on Martha's Vineyard.) A lean, graceful man of 46, slightly over six feet tall, he dresses with care in a fresh dark-gray suit. Later, in a suite he rents near the statehouse, he may change clothes once or twice more; he is never seen wrinkled or coatless in Boston. He drinks a cup of tea with his wife Remigia, and climbs into the front seat of a state limousine driven by Capt. Bill Jackson, the only Negro in the Massachusetts state police. (By Massachusetts law, an attorney general's bodyguard-driver must be a state police officer. Brooke got Jackson into the state police by sheer political muscle, and on the evidence it is easier for a Negro to be the attorney general of Massachusetts than to be the attorney general's chauffeur.)

Brooke ticks through two Boston newspapers and *The New York Times* during the half-hour ride to the statehouse, but he reads only when his limousine is moving. When it stops at a light he looks up. It is a politician's reflex; a cop directing traffic or a commuter waiting for a bus will notice the big car, and Brooke will grin and wave—"How *are* you? Good to *see* you!" The attorney general's nose is Richard Nixon's—it is uncanny to see it sitting there on Brooke's face—but his grin is of Kennedy quality. It throws out enough wattage to charm a vote out of a Democratic alderman at 30 paces and Brooke uses it shamelessly. The cop or the commuter grins back in helpless pleasure, and Brooke has another believer.

At the statehouse Brooke works quietly in his private office until just before 9 A.M., and then wanders cheerfully into the inner hall of the attorney general's suite. His staff is arriving, and he casually says "good morning" to each member. But the wall clock is ticking, and when it tocks past the instant of 9, Brooke's greeting becomes "good afternoon." His tone is joking, but the remark is not meant as a joke and it is not taken as one. Brooke's "good afternoon" has brought tears to more than one secretary whose car has bogged in morning traffic. "You want to fight back, to say that it wasn't your fault, but you can't; he hasn't actually scolded you," said one girl staffer. Brooke's people get to work on time. Somewhat more surprisingly, they accept his time-clockery as the eccentricity of a hero.

A man who can get away with this kind of thing—secretaries who come in late expect to be met with Danish pastry, not smart remarks—obviously is something out of the ordinary. Brooke is honest and sincere, and in Massachusetts politics that *is* out of the ordinary, but it is not always rewarded at the polls. Over the years Massachusetts voters have tended to take a neutral position on honesty, but they have always admired class. It is to their eternal credit, as these things are seen in the Commonwealth, that they reelected the late, classy James Michael Curley to Congress despite the fact that he was under indictment for mail fraud, an offense for which he later served five months in a federal penitentiary. A private suspicion is that Brooke owes much of his success to the voters' simple fascination with watching politics practiced by a master. There has not been much class in Massachusetts public life since they caught the Brinks robbers. (Except for the Kennedys, of course. But the Kennedys have been primarily national politicians.)

Wearing a striped T-shirt, tan pants and fashionably aged tennis shoes ("Coolidge administration; don't tell me I'm not a conservative"),

'I know I've been lucky, but I've never had a bad experience with prejudice.'

Edward Brooke sat on his shaded front porch on Martha's Vineyard and answered the same old question. "Look," he said, "I know I've been lucky, but I've never had a bad experience with prejudice." ("He must have had some hard knocks, but he would never tell you," his mother was to say later that day.) Brooke went on, "It would make a better story if some white man had kicked me or yelled 'nigger,' but it just never happened. I grew up segregated, but there was not much feeling of being shut out of anything. I had a new Buick when I was a sophomore in college."

College was Howard University in Washington, D.C., where Brooke was born and reared. In the recollection of a woman who attended Howard at the time, Brooke was social, popular, very much occupied with being a big man on campus. He was also very much under the influence of his mother, Helen Brooke, a strongminded woman of the kind who rises above things, and who said, that day on Martha's Vineyard, "We never let being Negroes affect our lives. That's why I can't really understand all of this . . ." She did not finish the sentence, but it seemed clear that she meant civil-rights agitation, or shouting of "black power," or merely failure to rise above the white man's ridiculous rules. Rising above was a career for Brooke's mother; in her day it meant, if the Washington opera were closed to Negroes, not picketing the place but taking her son to New York, where the opera and the rules for Negroes were better. The Brookes were Episcopal, solidly upper-middle-class (Brooke's father was a lawyer for the Veterans Administration), and accustomed to privileges not given to other Negroes. They lived in Negro neighborhoods most of the time, but at one point they and a few other Negro families lived in a white neighborhood otherwise so thoroughly segregated that ordinary Negroes needed a note signed by a white man to pass through it.

Privilege and segregation continued to be patterns of Brooke's life through World War II; he served for five years, two of them as a captain in Italy with the Negro 366th Infantry Regiment, and won a Bronze Star. Much of the time he spent behind enemy lines as a liaison officer with the Italian partisans, who called him by the codename "Captain Carlo." His wife Remigia, whom he met in a beach town near Naples after V-E Day, still calls him Carlo.

The war sobered Brooke. "I never studied much at Howard," he recalled not long ago. But at the Boston University Law School, from 1946 to 1948, "I didn't do much else *but* study. Italy forced me to grow up some, I think." Brooke, who married Remigia in 1947 after a two-year courtship by mail, edited the *Law Review* at B.U., and set himself up in private practice after he graduated.

He had never taken any interest in politics (although his father, "like any self-respecting Negro before the New Deal," was a Republican). But in 1950 two Army buddies persuaded him to run for the state legislature from Roxbury. He filed for both the Democratic and Republican nominations and was endorsed by the Republicans. He lost the election, and two years later lost again. Then, perhaps for family reasons—he is a man who guards his privacy, and his family's—he stepped aside from politics. His wife hated the business of campaigning; the long absences from home, the strangers who pumped her hand and said things she did not understand, and the women at rallies who ran up and embraced her husband. "There was nothing like that in Italy," said Brooke's mother. "I had to help her learn."

For eight years the only politics Brooke involved himself with were the semi-pro, veterans-organization kind; he became state commander and then national judge advocate of AMVETS.

By 1960 Brooke was eager for politics again, and Remigia had resigned herself; her English was good enough so that she could help with the campaigning. Brooke ran for secretary of state, and startled everyone by polling over a million votes against the Kennedy surge. He lost—by less than 12,000 votes—but it was one of those fortunate losses that politicians talk of. Brooke proved that he was an exceptional vote-getter, and he did it without having to sit out a term as secretary of state. (The job has a reputation as a prestigious dead end, because it offers no way, short of stealing the office stamp money, to get your name in the paper.)

Within a few months Governor Volpe had appointed Brooke chairman of the Boston Finance Commission. Since the city's finances were in their customary gumbo, Brooke got his name in the paper. Since then it has seldom been off the front pages in Boston. He won the attorney generalship in 1962 despite an otherwise almost unanimous Republican swoon—that was the year Endicott (Chub) Peabody, who now wants the Senate seat Brooke is aiming for, beat John Volpe for the governorship—and immediately began indicting

A moment after his nomination last June, Brooke pos

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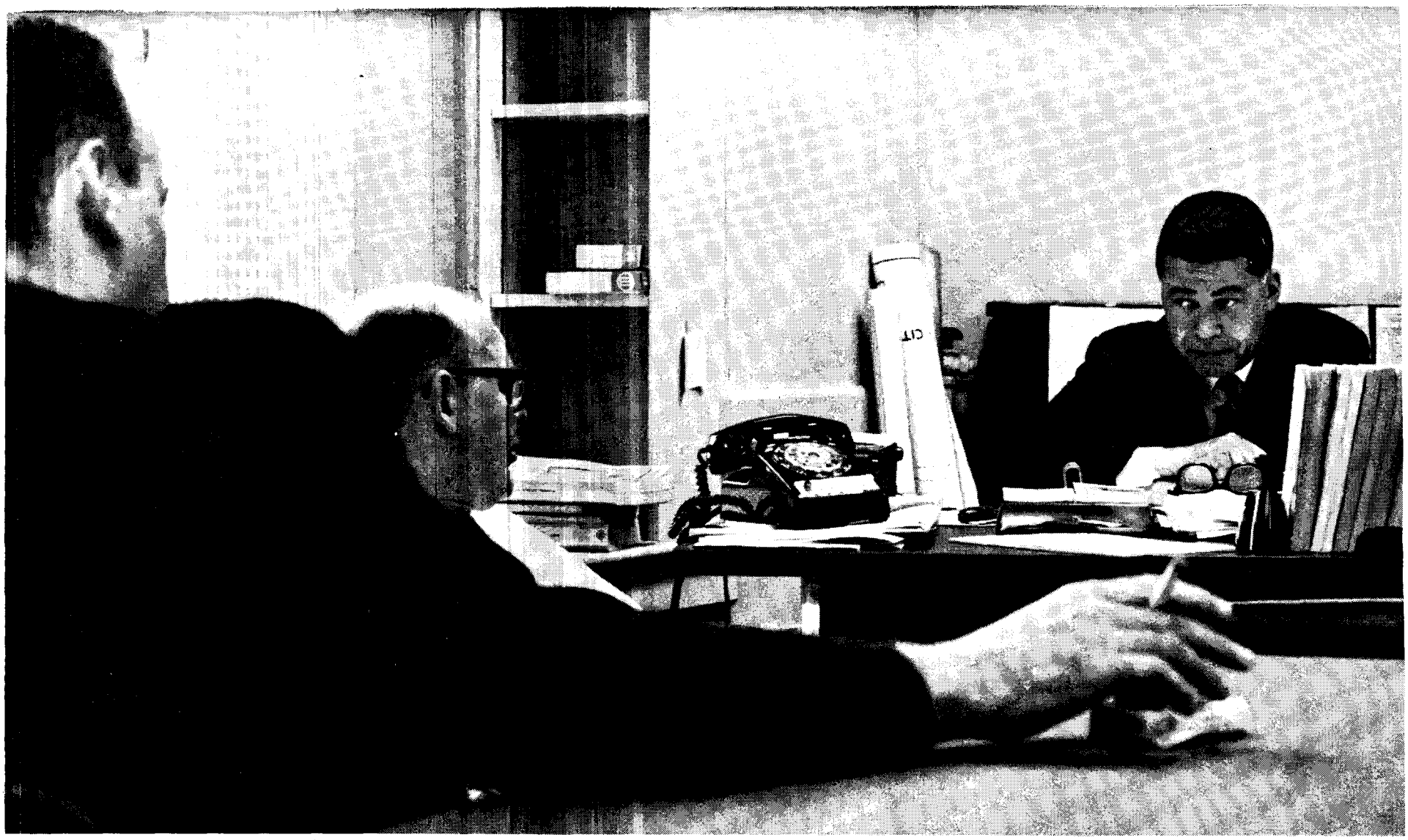

His public grin put away for the moment, Brooke gets down to business at **Boston campaign** *headquarters with campaign manager Albert Gammal and assistant Roger Woodworth.*

Sen. Leverett Saltonstall, the man he hopes to succeed.

Democrats. Among those whom Brooke's office accused in a rich assortment of conspiracies and peculations were former Gov. Foster Furcolo, four members of his governor's council, and a state commissioner of public safety. (Furcolo was acquitted of a conspiracy charge—and is now running for attorney general—although his governor's councilors were found guilty of conspiracy and bribery, and the safety commissioner was convicted of perjury.)

While some indictments have turned sour—conspiracy and bribery cases usually depend on one of the parties to a crime admitting that he is a crook, and sometimes the parties change their minds—there is no shortage of new ones. As Chub Peabody and Boston's Mayor John Collins garroted each other this summer in the Democratic primary race for the senatorial nomination, Brooke, who had no primary opposition, campaigned against sin. In this case sin is alleged to infect some of the state's principal small-loan companies, whose officers are accused of conspiring with state officials to keep loan rates high. It was a winner's kind of luck that brought the loan case to trial in July, when Brooke needed publicity; any politician who can make a loan company bleed in court has half the state's voters right there.

Brooke never uses an erg more of political muscle than is necessary, but he does use it. When it became clear last fall that Governor Volpe was thinking of running for Saltonstall's seat, Brooke smoothly—and without consulting Volpe, the party leader—announced that *he* would run for the Senate if Saltonstall retired. Since polls showed Brooke would be stronger than Volpe for either the Senate seat or the governorship, Volpe gave up his notion of going to Washington.

Politician-watchers like to be on hand when Brooke takes batting practice. His swing at a press conference is classic. A television interviewer fogs in a double-loaded question, something like "Would you say the vigorous conservative opposition to your candidacy has its roots in the support you have had from the A.D.A.-Communist element?" Looking solemn and senatorial, Brooke knocks this easily over the fence. "I do not associate those who have been attacking me with responsible conservatism," he begins. "I have always had the support of responsible conservatives, and I confidently expect their help in this campaign."

So far, so bland. But in the next sentence he goes on to point out gently—and for a Republican, heretically—that the Americans for Democratic Action are responsible *liberals*, not Communists, and that he had *their* support in 1964 and would be pleased to have it again. By this point, in the space of 30 seconds, he has (1) implied politely that his critics are irresponsible; (2) displayed fair-mindedness (let's not be beastly, even to the A.D.A.); and (3) suggested that he is a leader in whose cause factionalists of all kinds (responsible ones, of course) are eager to unite.

But the answer is not finished. There is still the implication that Brooke has had Communist support. As a matter of fact, Brooke goes on, the Communists *did* support him once. (The viewer is shocked; could he have been wrong about Brooke?) It was in 1950, says Brooke, with an apologetic smile; there wasn't much he could do about it, and it was Communist policy at the time to support any Negro for anything. Now (how dare the Communists?) the viewer is on Brooke's side for good. The TV cameraman shuts off his machine, and Brooke turns, laughing amusedly, to the interviewer who had tried to torpedo him. He pats the man on the shoulder. . . .

Brooke is a liberal by any reasonable definition, but when he is asked how he feels, "as a liberal," about this or that matter, he answers with a formula so stuffy and unvarying that it may become known as "taking a Brooke." "I have never categorized myself as a liberal, moderate or conservative," he will say. This irritates reporters,

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Brooke virtually invited the conservative revolt—and easily overrode it.

EDWARD BROOKE

mostly because the attorney general is not the sort of politician to whom a reporter can say "Oh, come on, now" and get a reassuring wink in reply. When Brooke is stuffy, or pretending to be stuffy, he does a thorough job of it.

There is sense to Brooke's deviousness, however. Liberal voters themselves know from the stands Brooke has taken that he is a liberal; or, failing that, they know he is a Negro, and probably will vote for him for one of these reasons. Moderates feel that he is one of them, and conservatives are entitled to feel that if a man refuses to be called a liberal, there is hope. No successful politician in recent years has admitted to being anywhere but in the middle of the road.

Brooke's determination to occupy the middle of the road, however, should not disguise the fact that he intends to change the road's route. He is a reformer: He wants to reform and broaden welfare legislation, make the cities livable and the rivers drinkable, and give the slums better schools than the suburbs have. And Brooke wants to reform the Republican Party.

"I think it safe to say that millions of Americans simply do not take us seriously as a party that can be trusted to govern."

"I believe our approach to national issues has been not only unpopular, but wrong. We are being rejected by the majority not because *they* are unable to understand the 'true' American values we represent, but because we have been unable to understand many of their problems and aspirations."

"Our overriding, overwhelming distrust of 'big government' as the Great Evil of our time must be abandoned. . . . Does anyone seriously believe that order, education, beauty, opportunity, racial justice and social betterment are going to produce themselves without participation by government?"

The quotations are from Brooke's book *The Challenge of Change*, which set conservatives to muttering about betrayal when it appeared in the spring. The book was rudely explicit in its contempt for McKinley Republicanism. Brooke had been explicit before; he refused to support Goldwater in 1964, and would not even be photographed with him (Goldwater, oddly enough, is now supporting Brooke; he sent Brooke a check for $100 a few weeks ago, and the attorney general, after explaining that his views had not changed, accepted it with thanks). A year or so ago Brooke made a point of not attending a lunch for Ronald Reagan, the handsome TV pitchman whom California Republicans have since nominated for governor. Reagan, however, would not be put off, and he barged into Brooke's office trailing cameramen. "He talked for about an hour," Brooke recalled recently. "It was all vague and hazy. I don't think he thinks very well. I couldn't always make out what he was driving at, except that he was trying to tell me that although he wouldn't have signed the civil-rights bill, he was a friend of the Negroes. He seemed embarrassed, and I didn't help him out any."

Brooke's undisguised contempt for the views of Goldwater and Reagan hurt him very little. But in writing *The Challenge of Change*, Brooke wrote himself an opposition, as he is fond of telling audiences. It is a remarkable book for a politician so cautious that he will not let himself be called a liberal. He wrote, for instance, that "American foreign policy has been directed almost exclusively to the single goal of 'stopping the spread of the Communist conspiracy'—as if the . . . misery and aspirations, appeals and resentments of the underdeveloped lands would disappear if only we could 'defeat Communism.'" He demanded massive federal aid to education, dismissing as irrelevant the question of whether "giving more to the children of the poor and racially oppressed is 'fair.' Talk of fairness or unfairness avoids the real issue. Only by investing more in education in the next few generations can we avoid spending far more for doles in perpetuity."

Brooke wrote that the U.S. should consider a reverse, or negative income tax to bring the incomes of the poor up to a livable minimum. It was not the idea that shocked—schemes to insure a minimum income have been in the air for years—but the source, a Republican office-seeker.

Conservatives rebelled, or tried to. They needed an alternate candidate, but the best they could produce was a polite, round-faced, 30-year-old lawyer named J. Alan MacKay. His principal qualification was that he was national vice president of the Young Americans for Freedom, a group of solemn young tories who were Goldwater's shock troops and who are now busy trying to organize cells in the nation's high schools.

It is characteristic of Brooke that his response to the conservative mutiny seemed conciliatory but actually was contemptuous. He ignored MacKay, but spoke again of "responsible conservatives" who, he was sure, continued to support him. Then, a week before the G.O.P. convention in June, he issued a statement strongly supporting the Supreme Court's recent Miranda decision, which said that the Constitutional protection against self-incrimination, and the right to counsel, extended to suspects being questioned by police. Conservatives throughout the U.S. deplore this decision as a weakening of police power. Having told his attackers, in effect, to go soak their heads, Brooke innocently denied having done so. "I didn't 'time' the statement," he told reporters. "The Miranda thing needed saying, so I said it."

At the convention, MacKay's protest candidacy drew 215 votes—more than it would have if Brooke had not written the book or spoken out on the Miranda decision. But the attorney general got votes from 1,485 delegates, and the conservative rebellion was over.

Whether Brooke had hurt himself seriously with conservative and moderate Democrats whose votes he must have in November was another question, but on the day of his victory, everyone put off thinking about it. Even Brooke, the sort of man who walks his emotions twice a day, let them loose. His eyes were wet as he hugged his wife and mother before the cameras. As he extemporized his acceptance speech his voice, usually that of a good speaker but not a good orator, had the ring and carry of thrown-away caution.

He seemed no more disposed to caution in his first major campaign speech in early August. Perhaps responding to criticism of his lack of forcefulness in civil-rights matters, Brooke flatly accused the Johnson Administration of failure to enforce the civil-rights laws. He blamed "executive inaction" and "poorly conceived federal programs" for lack of progress, and outlined his own program for a "coordinated, systematic" assault against discrimination.

While Brooke was attacking Democrats at the highest levels, his Democratic opposition for the moment had more immediate concerns. It is the droll custom of Massachusetts politicians to pick their candidates at a party convention in June, to adjourn after resolving solemnly to support the statesman picked by the delegates, and then to spend the rest of the summer hacking at each other with rusty knives. The convention's choice is not legally binding, and any citizen who chooses to do so may try to dry-gulch his party's men in the primary, which comes in September.

The attorney-general and his Italian-born wife, Remigia, on beach near their Martha's Vineyard summer place.

This year there were no Republican primary fights, but the Democrats have carved their initials all over each other. There have been fights up and down the Democratic ticket, including a brisk one for the gubernatorial nomination between former state Attorney General Edward J. McCormack Jr., the convention endorsee, and Kenneth P. O'Donnell, the former Kennedy aide. From Brooke's viewpoint, however, the most fascinating eye-gouging has occurred between former Gov. Peabody, the convention choice for the Senate, and Boston's Mayor Collins.

Collins is a proud, shrewd, able Irishman who takes and deserves much of the credit for the building and business boom that has brought his cynical, discouraged city back to cynical, optimistic life. He went into last June's convention thinking he had the votes to win. When he lost to Peabody, a man he considers a lightweight and a charm merchant, he roared over the convention microphone, and over statewide TV, that he had been jobbed. His manner since then has been that of a good man who has been done out of his due. A big, lively, pink-faced pol of 47, he sits angrily in his wheelchair—polio nearly killed him in 1955, and his election as mayor four years later represented a formidable feat of courage—and argues what he has no doubts about: that he is smarter and more experienced than Peabody or Brooke (another charm merchant, in his view). "Sure, I've got enemies," he admits; "smilers don't pick up enemies, but I'm not a smiler."

Collins's special concern is the rotting core of U.S. cities, and he says he hopes to use the leverage of a Senate seat to bring federal money and city problems together. He is a humane, unbigoted man who argues persuasively that he can deal with the problems; yet in his own city he has not found words to convince Negro ghetto dwellers that Boston cares what happens to them, or to convince resentful whites that the city must care.

The candidate interrupts a stroll at the Vineyard to bestow a few words and a brilliant smile on a voter.

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Former Gov. Endicott Peabody ("but just call me Chub") did not merely attend Groton; his grandfather founded the school. The Peabodys are one of Massachusetts' ducal families, and when Chub's mother got arrested a couple of years ago during a southern civil-rights march, the news value of the incident was greater than if it had been, say, Mayor Collins's mother. (The arrest is counted as a minor plus for Peabody, perhaps as useful to him as Brooke's ability to speak Italian to Italo-American audiences is to the attorney general.) In 1941 Peabody was an All-America guard at Harvard, but now, at 46, he looks like an active tennis-player, not an old footballer. He is handsome, likeable, and has the grin of a two-year-old who wants a cookie.

Peabody campaigns hard, shakes a thousand hands a day, and can point to a good record during his term (1963-64) in the statehouse. As Collins talks like a mayor, Peabody talks like a governor; the relationship between the Federal Government and the states must be "revitalized," and more federal money spent through the states on air pollution, transportation, conservation and the like. Peabody talks well about such matters, but when an interviewer breaks in with a question he hasn't been thinking about—this one was about "black power" and ghetto riots—he can flounder badly. There is a faint sniff of ineffectuality about the ex-governor. There was no air conditioning in Peabody's campaign headquarters one hot day early in the summer, and Peabody explained politely that the landlord hadn't fixed it yet after a remodeling; "so far we're the only tenants." Perhaps unfairly, the visitor found himself thinking that Collins or Brooke would have had the landlord on hand within five minutes with a repairman and a palm fan.

"You can't discount anyone who made it to the governorship," one somewhat baffled observer said of Peabody. But Peabody let the statehouse slip away almost absent-mindedly; in 1964 his own lieutenant governor Francis X. Bellotti challenged him in the primary, won, and then lost badly to John Volpe. Peabody explains this by saying that it is hard to run hungry when you are the incumbent. He adds that he is hungry now.

So is Edward Brooke. Eight weeks of following him, pestering him with a reporter's questions and a white man's questions, leave the indelible impression of a man with a fierce political hunger. The observer recalls a staff meeting before the convention; Brooke is tired, his staff is wary of his mood; the energy-draining grin has been turned off, and he is tapping irritably with a pencil as he checks the arrangements. He wants letters in the mail before the convention ends, thanking his nominating speakers. The speeches themselves (which Brooke had spent the afternoon writing) must be checked with the nominators to make sure there are no awkward words. . . . Now; what will be on the wall behind him when he shakes hands at the delegates' reception? It's important; it will show in the photographs. . . . Tap, tap, tap. . . .

Other impressions:

Brooke, tight-faced and reserved one morning, suddenly rolling his eyes as a girl in a mini-skirt walks by his car, saying "Oooooh, she must be cold!" then tightening his face without a pause and resuming a discussion of the small-loans case.

A cranky, conservative G.O.P. city committeeman in Springfield asking Brooke about balancing the federal budget, and Brooke answering, incredibly, that budget-balancing isn't really desirable. Keynesian economics seems to work, he goes on; at least Brooke hasn't seen anything better. The committeeman blinks; this is not what he wanted to hear. Brooke smiles blandly; it is what he thinks the man should hear.

Brooke's mother, quoting her son: "Mother, I am the loneliest man in the world."

A CORE leader, quoted by a reporter: "I don't think of him as a humanitarian, I think of him as a man primarily interested in winning elections."

And Jack Kennedy (quoted by half a dozen people), calling Boston on election night, 1962, hearing that Brooke would win, and saying "My God, that's the biggest news in the country!"

If Brooke wins in November, there is no questioning that this will be the country's biggest election news. And no questioning, either, that the country will begin hearing a great deal of what Edward Brooke thinks it should hear. □

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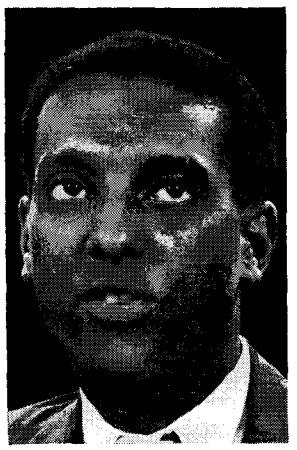
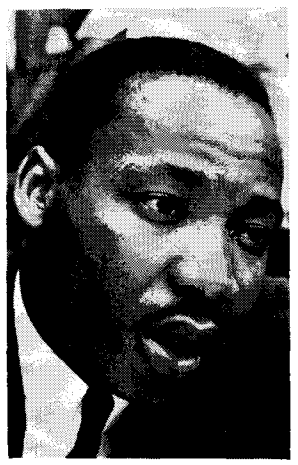
Editorial

A new white backlash?



Stokely Carmichael



Martin Luther King Jr.

There came to light not long ago a pathetic document that illustrates the total alienation of the militant young Negro and his pitiful inability to understand or cope with his problems. The document—believed to provide the basis for the current uproar about "black power"—was drawn up last winter by Stokely Carmichael and some other young rebels of the Student Nonviolent Coordinating Committee, and it dealt with the question of whether white people should play any major role in the civil-rights movement.

No, argued the militants. "If we are to proceed toward true liberation, we must cut ourselves off from white people. We must form our own institutions, credit unions, co-ops, political parties, write our own histories. . . . If we continue to rely upon white financial support, we will find ourselves entwined in the tentacles of the white power complex that controls this country. . . . We reject the American dream as defined by white people and must work to construct an American reality defined by Afro-Americans."

This all sounds very fierce, but the motive for this paranoid self-segregation lies in an openly acknowledged fear—a fear of white people and a fear of one's own fear. In arguing for the exclusion of whites from Negro meetings, the supposed militants offer the explanation that "Blacks . . . feel intimidated by the presence of whites, because of their knowledge of the power that whites have over their lives. . . . A climate has to be created whereby blacks can express themselves. The reason that whites must be excluded is not that one is anti-white, but that the efforts that one is trying to achieve cannot succeed because whites have an intimidating effect."

In this frightened definition of their own cause, the tactically naïve militants of "black power" sound less like the cutting edge of the civil-rights movement than like the advocates of defeat. They resemble those ideology-ridden dogmatists—both old-guard conservatives and old-guard socialists—who prefer purity to victory, who prefer no solutions to partial solutions. If power requires mass support, then the rejection of anyone's support means less power, and if power requires money, then the rejection of anyone's money means less power, and in this light the program for black power is a program for black weakness and failure.

At the same time that the Negro militants were talking about "black power," in vague terms that show little connection between effort and result, the more moderate Rev. Martin Luther King Jr. was leading his troops into the very center of the conflict—and in a demonstration for desegregated housing in Chicago he was met with a barrage of stones, bottles and other flying debris. It is significant that King's efforts to achieve a reasonable goal by physical demonstrations were finally confronted by brute force, and it is significant that King's demonstrators were outnumbered by more than six to one, for that is a small-scale version of the relationship of militant white power to militant black power. Nor was Chicago the only place where Northern whites have resorted to force to counteract Negro agitation. Whites, too, have their urban ghettos, their fears, and frustrations and mob lusts, and it is worth remembering that in the great Detroit race riots of 1943 the Army had to be called in to stop the white mobs from a rampage that would have made the Watts rioting seem like a musical-comedy hoedown.

It is possible, indeed, that the violence in Chicago, coming just a fortnight after the standard Negro outbreak, inaugurates a whole new phase of the civil-rights struggle. We have been so bemused for so long by talk about "the Negro revolution" that we tend to assume that revolutionaries must be granted their just demands, and even their unjust demands, and that revolutions are inevitably triumphant. It is not true. The English Revolution ended with King Charles II on the throne and Oliver Cromwell's head exhibited on a pike; the French Revolution, too, ended with the Bourbons back in power. In our own time, the Shanghai revolutionaries of 1927 were boiled alive, Germany's Karl Liebknecht ended in a muddy ditch, and a Soviet firing squad silenced Imre Nagy's hopes of presiding over a free Hungary. Since the first slave revolts of ancient Egypt, the history of this earth is in large part a history of rights denied and revolutions crushed. In our own country, then, the danger is not simply the increasing extremism of the Negroes but the potential extremism of the vast majority of whites, who, feeling crowded and threatened, are only too ready to suppress this fragile revolution with all the violence at hand.

We are all, let us face it, Mississippians. We all fervently wish that the Negro problem did not exist, or that, if it must exist, it could be ignored. Confronted with the howling need for decent schools, jobs, housing, and all the other minimum rights of the American system, we will do our best, in a half-hearted way, to correct old wrongs. The hand may be extended grudgingly and patronizingly, but anyone who rejects that hand rejects his own best interests. For minimum rights are the only rights that we are willing to guarantee, and above those minimum rights there is and will continue to be a vast area of discrimination and inequity and unfairness, the area in which we claim the most basic right of all—the right to be stupid and prejudiced, the right to make mistakes, the right to be less and worse than we pretend, the right to be ourselves. When this majority right is threatened, the majority will react accordingly—with results that could be disastrous to all of us.

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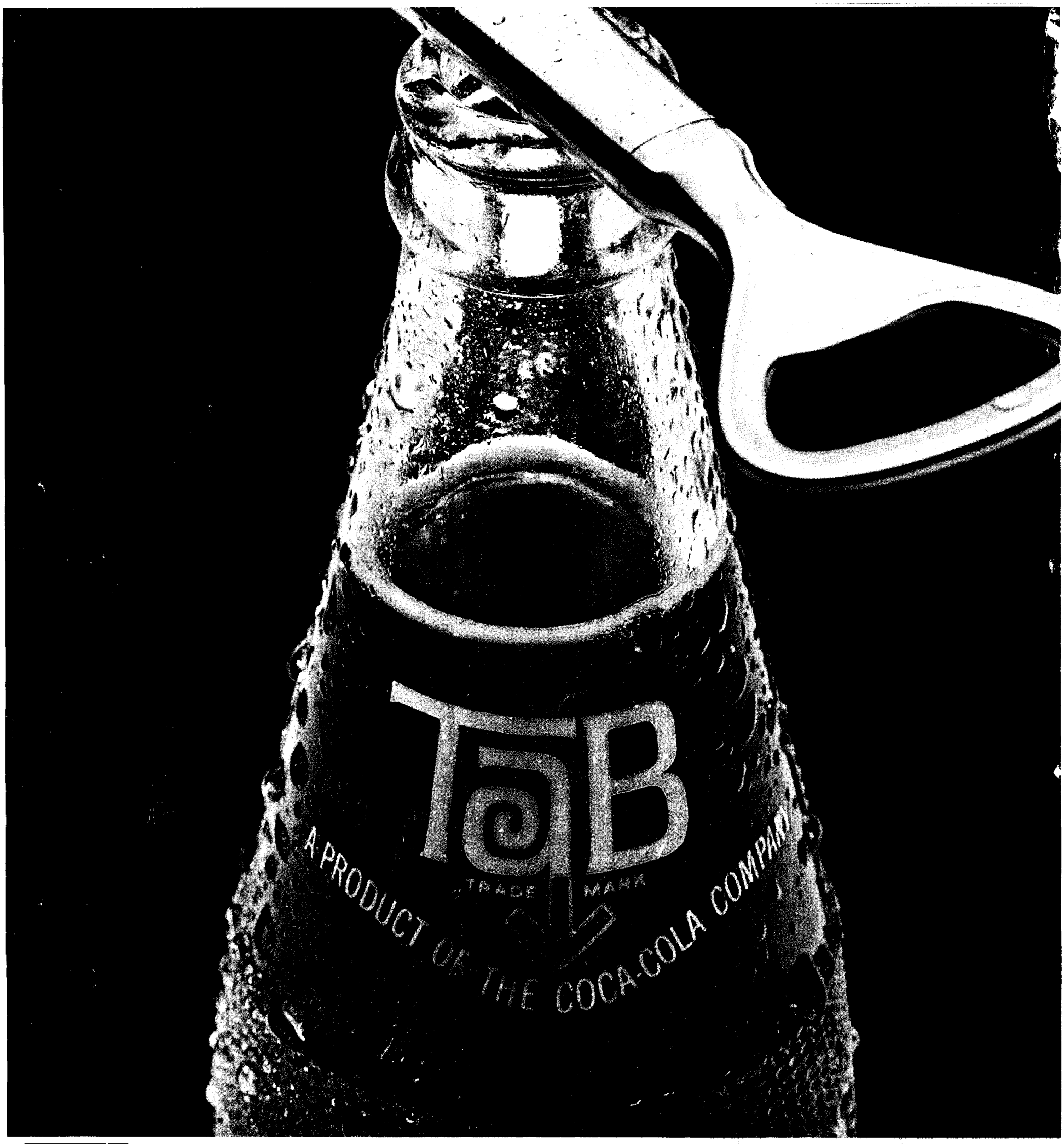

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